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THE BIMETALLIC CONTROVERSY OF FIFTY YEARS AGO

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1. Bimetallism thrilled our fathers as perhaps no other controversy of the day. It was at its height in the years preceding the discovery of the Rand in 1886, a discovery which before the end of the century had robbed it of all but academic interest. In England itself it became a lively issue owing to the sharp and prolonged fall in the gold price of silver and other commodities after 1872. It gave Alfred Marshall the opportunity to expound before the Gold and Silver Commission of 1887-8 and the House of Commons Committee on Indian Currency (1899) not only his plan of Symmetallism, *i.e.*, of paper based on a composite of gold and silver, but his whole theory of money and credit. In the United States, which had a great silver-producing interest, it drew from William Jennings Bryan, the democratic candidate for the American presidency in 1896, the famous challenge 'Shall mankind be crucified on a cross of gold?' But all Europe was interested; and it is on the Continent that the story begins and develops.

France and the Latin Union.

The orgy of assignats over, Napoleon, now Emperor, re-established the currency on a metallic basis with the franc instead of the livre as the unit of account. By the law of 1803 the unlimited coinage of both metals was allowed at a ratio of 15.5 silver to 1 of gold. In taking this ratio France followed the lead given by Spain in 1775. Thus the flight from metal during the chaos of the revolution was followed by a strong return to metal under the victorious banner of Napoleon. His triumphs brought from Spain and elsewhere great booty of precious metal and ornaments of art; and while it is true that 1803 was also the foundation year of the Bank of France, yet so general was the

distrust of paper that the currency of France for long remained highly metallic—in marked contrast with the position of Great Britain where between 1797 and 1844 non-metallic currency in the form of notes and cheques made strong and healthy progress.

When the unlimited coinage of two metals is permitted with no more than a nominal seignorage on either, that metal which is for the time cheaper in the bullion markets of the world will be delivered to the mints of the country or countries maintaining a fixed ratio between the two. The truth of this law was proved to the hilt in France, 1815–1870. For midway, 1848, began the new gold of California and Australia. And so from 1821 to 1847, when the world's gold was getting dearer, $2\frac{3}{4}$ billion silver francs, as against 300 million gold francs, were coined at the French mint. But from 1857 to 1866, when gold had become cheaper, $3\frac{1}{2}$ billion gold francs, as against 55 million silver francs, were coined there. This violent reversal was no benefit to France. It made her money market unstable. The gold was not always forthcoming when the silver had disappeared; the silver did not always make way as soon as the gold appeared. In the 17th and 18th centuries France had to some extent protected herself by adjusting the mint ratio to the market ratio from time to time, but such adjustments were unpopular because they were associated with the demoralizing alterations of gold and silver in terms of the *livre* money of account. These latter, known as 'augmentations' and 'diminutions', were fatal to financial stability.

Therefore after 1850 France sought stability in the extension of the area over which her rating ruled. For clearly a fixed ratio exerts a force in the opposite direction to a new movement in the bullion market. When the bullion market is offering one metal more cheaply than before, the country with the fixed ratio is demanding it at the old rate; and if its demand is broad enough, it may bring back the outside market to the old rate before it is itself exhausted of the dearer metal it has been paying out. On the other hand association with other countries ties a country's hands and makes readjustment a difficult, because an international, affair.

In 1865, when the Second Empire was at its height, France formed the Latin union, consisting of herself, Switzerland, Belgium and Italy—Greece adhering in 1868. It was agreed among them (1) to accept each other's coins at the national exchequer; (2) to limit coins of under 5 francs to 6 francs per

head of the population—these to be legal tender only up to 50 francs. But a variety of causes compelled shortly the abandonment of the scheme: partly in 1872, when a quota was imposed on the coinage of large silver pieces: wholly in 1878 when, as in England in 1798, the coinage of the standard silver pieces was forbidden. In any event there was one obstacle to permanency. For as Alexander Delmar, the American historian, insists at every turn, 'unlimited private coinage or at brassage means one metal, and that metal means the dearer one, on account of the higher *ad valorem* cost of coining the cheaper one' (*Money and Civilization*. [1886] p. 275). His point is that it is less expensive to make £100 of coin out of gold than out of more bulky silver; and he suggests that long before his day the French writer Desrotours was alive to this when he wrote 'Gold is the metal most convenient and least expensive to export.'

But two events of more obvious bearing turned the slow secular subordination of silver indicated by Delmar into a rout. The first was the immense increase of silver production in America; and the second was Germany's dramatic change from silver to gold in 1873, by the aid of the War Indemnity exacted from a stricken France.

2. *Holland, Germany and Austria.*

For Holland the economist, Dr. N. G. Pierson, speaks with unimpeachable authority, since he was himself Prime Minister of that country. The Napoleonic Wars reduced Holland to a power of the second rank; and her currency system was further disturbed by the political union of Belgium with Holland, 1815–30. By tradition she was a silver-using country, though her great foreign trade was financed by her famous bank money, which was based on coin and bullion of gold and silver, with a small preference to silver in the matter of warehousing charge. In 1816 by adopting a ratio of 15.87 to 1, as against the generally prevailing ratio of 15.5 to 1, she overrated gold and lost full-weight silver, so that her currency came to consist of gold and under-weight silver only. To remedy this, she slightly reduced her silver standard in 1839, changing the content of the silver gulden from 148 to 145 grains; and she did this, in preference to a corresponding increase in the weight of her gold coin, because this method cost the Government nothing. The new ratio resulting was 15.6 to 1. She could now once more retain silver; and taking the view that gold would become increasingly scarce, she

demonetized gold in 1847 on the very eve of the California gold discoveries. From 1847 to 1875, therefore, she was on a simple silver basis. But in the 1870's, fearing the further depreciation of silver, she restricted her silver issues, without definitely going over to gold; and thus she felt her way towards something approaching the modern device of a managed currency, based on limitation. She had a special reason for not following the gold fashion of the rest of Europe. For in 1854 she had reformed her colonial currency in her valuable East Indian possessions, and made it uniform with that of the Motherland. This was a great aid to her Eastern commerce; and having no domestic attachment to gold, she was content to play for imperial reasons a lonely hand.

The formation of the German Zollverein in 1834 was followed (between 1834 and 1870) by the adhesion of those parts of Germany still outside of it. During the same period the great varieties of currency in the different States were reduced and co-ordinated among themselves and with that of Austria on the basis of 1 Vereinsthaler (German) = $1\frac{3}{4}$ florins (South German) = $1\frac{1}{2}$ florins (Austrian). Hamburg retained its old-established bank money till 1873, when its bank was merged with the newly established Reichsbank and the imperial currency was adopted. The Act constituting the Empire in 1870 gave the regulation of the currency to the imperial authority; and the imperial laws of 1871 and 1873 placed Germany on a gold basis. The coinage of silver except as subsidiary coin was stopped; and the mark was adopted as the unit of account at the rating of 3 marks to 1 thaler. The standard was set by coining a gold piece of 20 marks out of 110.6 grains of fine gold. As the English sovereign contained 113 grains fine, the 20 mark piece was therefore worth a little less than £1.

Three reasons would appear to have dictated Germany's adhesion to gold.

1. Gold was the metal of England; and Germany was bent on getting level, economically, with 'the workshop of the world', whose glory and boast was the gold sovereign.
2. Germany was able to secure the necessary gold by the war indemnity exacted from France. In the course of this drastic transaction, which was negotiated through London, France lost £40 million of gold and Germany acquired £33 $\frac{1}{2}$ million.
3. Germany was under no temptation to build her new Empire in silver, even though silver was the traditional standard

of northern Europe. Clearly she would not associate herself with the Latin monetary union, which had stood for the hegemony of France; and the Hamburg tradition was anti-imperial. It recalled, and derived from, the days when Hamburg was a port for the penetration of German markets by the aggressive merchandise of England.

In 1894 Austria-Hungary, too, adopted the gold standard, but the presence of Government paper of doubtful convertibility delayed the attainment of a full gold standard, as understood in Germany and England. Austria, it should be remembered, was defeated by Prussia in 1866; and she seems to have endeavored to regain prestige by rushing into the English cheque-system. But the event showed that the country was unripe for it. She went at that time 'rather bank-mad' in Marshall's expressive language;¹ and her collapse in 1873 had a depressing influence on the price levels of Europe generally.

3. *England and India.*

Down to 1872 England had no internal interest in bimetallism. She was, however, deeply interested in the furtherance of international trade; and she hoped that her lead of 1860 in the direction of free trade would be followed by a general removal of tariff walls. The London Exhibition of 1851 showed how difficult it was to compare exhibits marked in different weights, measures and coins; and therefore, when the Latin countries adopted a common currency system, she interested herself in the possibility of conforming with that system with a view to the furtherance of foreign trade. She took part in the international monetary conference convened at the Paris Exhibition of 1867, and appointed a Royal Commission to recommend on the proposals there made. After hearing evidence from numerous witnesses, including the economist Stanley Jevons, the Commission reported in 1868 in the following strain: Since England by the Act of 1666 had coinage which was gratuitous (*i.e.*, without cost) as well as free (*i.e.*, unlimited), the danger to be apprehended was that under an international scheme England would become the unpaid minting factory of the gold-using countries. But this danger might be avoided if a small mint charge were imposed; and this would permit of a uniform and easily calculated gold unit—£1 = \$5 = 25 fcs. But at this point doubt entered. Was it not a deg-

¹A Marshall, *Official Papers*, p. 40.

radation of the standard, a surrender to the old temptation against which Locke had fought to the discomfiture of Lowndes two centuries ago? It was therefore agreed that there must be no devaluation. Sterling contracts must be protected by adding the fraction required to bring them to the old gold content; and Jevons, for one, thought that this could be done with no greater inconvenience than that involved in paying dividends with income tax added. But he was very much in the minority. Witness after witness—and among them those who really counted, for example, Goschen, Bagehot, Bowring,—took their stand on patriotism to sterling. The pound is everywhere familiar: it regulates the exchanges of the world. The standards of the Latin countries are comparatively new: let them come up to England. Said Bagehot 'I think it would be a retrograde movement to adopt the French System. I wish this country to lead in an onward movement in favour of a monetary system in which a high gold unit shall be the predominant feature.' And Sir John Bowring, a British commercial commissioner, with a large experience of Europe and the East, sang the international renown of sterling—not the coin, (for that was a trifle), but the sterling bill on London, which rested on a long-existing standard of value recognized and respected by all.

Chauvinism carried the day. Holland, as late as 1875 in her new coinage law of that year, made provision for a gold coin of 112 grains, on the off-chance of a compromise between England and her neighbors—England to come down from 113 grains to 112: Germany to come up from 110 to 112: and the Latin countries to coin 25 franc pieces of 112, instead of the existing 20 franc pieces. But nothing eventuated. As Pierson dryly observes 'What advantage of any importance would result from this has not been stated' (*Principles of Economics*, I. 439).

But England was the capital of an Empire, and while the colonial currencies might be left to look after themselves, such an attitude was impossible with India, which first the Company and then Parliament governed directly from London. The traditional coin of India was the silver rupee, of which in the 18th century there were many varieties. Gradually the Company brought them into line and in 1835, two years after its retirement from trade, secured uniformity throughout India, making the Madras rupee of 165 grains fine the standard. In 1862 the Queen's effigy replaced the Company's arms on the coin.

It was the Madras Presidency which had presented the biggest problem. For here during the 18th century owing to the gold yields of Golconda and Mysore the gold 'pagoda' threatened to override the Arcot rupee. But acting on the advice in Lord Liverpool's famous letter of 1805, the Company decided on the policy of a single standard; and this decided, it had to be silver, the metal of the vast majority. But the severe fall in the gold price of silver after 1872 brought embarrassments for those who had to meet gold obligations in London in respect of interest on investments in India and for those who like the Indian Civil Servants had to make remittances to their families at home. The rupee, which in 1871-72 stood at about 2/—, fell in 1891-92 to 16.7d. To arrest the fall the Indian mints were closed to silver in 1893; and the official rate for the issue of rupees was fixed at 15 to the £, making the rupee 16d. But since there was no undertaking to give gold for rupees at this rate, the rupee for a while sank further under the influence of silver realized from native hoards. But it recovered to 15d. by 1896 and stayed at that or better for the remainder of the century. The symbol RX denoting 10 rupees was naturally in more common use formerly when 10 rupees equalled £1.

The fluctuations of the rupee deeply interested Lancashire, for they disturbed calculations of profit. Moreover, in a country like India, so largely ruled by tradition, wage movements were sluggish; and therefore the depreciation might act as a bounty on exports from India and as a tax on imports into India. How this arose and how long it could last were matters of controversy. Marshall argued that it could not last long and that it depended on the additional supplies of silver occurring in the first instance outside of India and passing by import into India in exchange for Indian produce. In any event statistics show that although Indian exports did increase substantially after 1872, notably in jute, wheat and cotton, yet Indian imports increased proportionately even more, the decisive forces being the opening of the Suez Canal in 1869 and the intensive development of India by foreign capital invested in roads, railways, irrigation and the like.

The prolonged fall of gold prices in England 1873 to 1896, if it was not the chief cause of the serious depression in the 1880's, at any rate did not assist the recovery from it; and until the new gold from the Rand began to exert its effect, there was a widespread desire for some broadening of the currency basis. Finally

the peculiar interest of England in the East increased the leaning towards some form of bimetallism which would assist the rehabilitation of silver. The bimetallists were a motley host, acute economists, befogged men of business and currency cranks with a zeal for easy money; but once the Rand had come into serious production, their defeat was not in doubt.

4. *The United States.*

To America bimetallism is the Silver Question; and as a great producer of silver she is interested in its use for the sake of her production. The great Comstock Lode was found in 1859.

"From \$156,000 in 1860 the output [sc. of silver] increased to \$11,642,000 in 1865 and to over twenty-three million dollars in 1871. The annual production has never fallen below that amount and at times had risen to over fifty-five million."²

Alexander Hamilton's Act of 1792, which reorganized the currency of the new republic after the depreciated 'continentals' had been withdrawn, made both metals full legal tender at a ratio of 15 of silver to 1 of gold. The monetary unit was the dollar, taken over from Spain via the colonies of Spain; and it represented 24.75 grains of pure gold. But at this ratio no gold came to the mint. So in 1834, to attract gold, the gold in a dollar was lowered from 24.75 to 23.22 which made the new ratio 16 to 1. This sufficiently overvalued gold to make gold henceforth the standard.

But the America of these days, like colonial America, did not use much coin, and the coin she had was of foreign, often Spanish, origin, coming to her as the result of foreign trade. Even when California came into production, the situation remained the same. Either the gold remained with the banks as a backing for notes, or it passed as bullion to the markets of Europe. It did not circulate as coin in the pockets of the people.

The Civil War of 1861-65 destroyed this make-shift. On December, 1861, cash payments were suspended and were not resumed till 1879. Thus America had a period of a paper dollar, 1802-1879, just as England had a period of a paper pound, 1797-1821. The paper corresponding to the Bank of England notes of the suspension period was the note of the United States Government (the northern Federal Government) and the notes were called Greenbacks because of the device printed on the back in green ink, to avoid counterfeiting. By the end of the war they

²I. Lippincott, *Economic Development of the United States* (1921), p. 345.

had depreciated in terms of gold by over 50%. Bagehot held that resumption was possible in 1865 or 1866, but it was delayed, as happened in England in 1810 when the Bullion Committee reported. In 1875 resumption was resolved upon: in 1878 it was decided that no more Greenbacks should be issued, with the result that the quantity then outstanding, \$346,600,000.00 remains outstanding to this day. Though some gold was coined, the demand for it was slight. People preferred notes (dollar bills and multiples thereof); and as resumption had removed the premium on gold, speculators had nothing to gain by trying to corner it. Finally, the credit of the country was by now greatly strengthened through the success with which the national banks, established under the law of 1863, had grown to meet the requirements of commerce.

Meanwhile the so-called 'crime' of 1873 had been perpetrated. The Government had abandoned the coinage of standard silver dollars (as distinct from the trade dollars, worth $4/8$, struck for the China trade, 1874-8). It was, in reality, no great innovation. For between 1792 and 1873 only eight million dollars in all had been coined. But the silver interests now made a grievance of the stoppage; and the Bland Act of 1878 required the Secretary of the Treasury to purchase two million dollars of silver bullion by tale weekly, which would be 'legal tender except where otherwise expressly stipulated.'

But still the people would not use the silver dollar; and therefore in 1890 the Sherman Act ordered the Government to purchase four and one-half million ounces of silver a month, and to issue notes against them redeemable in gold or silver. Since the tariff of this year had seriously curtailed duty-paying imports an important source of gold receipt was cut off (for customs duties were payable in gold); and the fear arose that the gold standard was in peril. Bryan, as democratic candidate, fought the presidential campaign of 1896 on a policy of free coinage of silver at 16 to 1, which gave to silver a value far exceeding its market value and, if carried, would have caused the United States Treasury to lose the whole of its gold. McKinley opposed him, making only this concession to the silver interest, that he would do something for silver, as part of an international convention; and he won. Finally in 1900 the single gold standard, which had virtually prevailed since 1834, was definitely and formally adopted.

America's strong fight for the gold standard was due in great part to the desire of the mercantile community to win and retain the confidence of foreign, and especially of English, investors. Thus gold, the Republican party and high tariffs were ranged against silver, the Democratic party and low tariffs; and foreign capitalists, while they might lament the tariffs, were pleased to see the Republicans triumph in their fight for 'sound money'. One wonders whether Jennings Bryan recognized a spiritual friend when he met William Lowndes in Elysium.

THE BASES OF URBANISM IN TEXAS

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This paper is in the nature of a preliminary report of a study begun some months ago on the subject of urbanism in Texas. While it is necessarily incomplete, the facts already secured justify presentation of certain conclusions as to the causal factors involved in the location and development of cities in this state.

No particular method is utilized in the study to the exclusion of others. Geography is consulted for the facts about the natural environment, to which human life must inevitably adapt itself. History yields information about events, many apparently accidental, which have figured in the location of settlements, later expanded into cities. Statistical correlations show connections between various phenomena, from which the relationship of cause and effect may be inferred. Case studies of selected units give the necessary detail for a sympathetic understanding and appreciation of the interplay of forces between individual and community.

The plan of the study as a whole is cast on broad lines. Taking aggregation of population as the prerequisite of urbanism, the investigators have undertaken, as their first task, to present a picture of growth of urban population in Texas. This is obviously necessary for a delineation of the field. The second task involves the discovery, classification and evaluation of the factors responsible for the location and increase of urban aggregations. An understanding of these factors is necessary to an understanding of many of the social characteristics of particular cities, but is especially valuable in any attempt to plan the development of the city to meet its future needs. The main part of this paper deals with some of these factors.

The second part of the study as a whole will be concerned with the ecological and social relationships existing within the city itself, with the culture of the urban community, and with the personality types developed by the urban environment. Emphasis will be placed upon the factors which appear to be peculiar to the cities of Texas. This phase of the investigation, which, it is hoped will be of more interest and significance to the sociologist than the preliminaries, has not yet been undertaken.

Urbanism, as commonly defined, is in the developmental stage in Texas; most cities in this state fail to show many of the accepted indices of urbanism. But urbanism would seem to be a relative term. The San Antonio of 1750 was in much sharper contrast with its hinterland than is the San Antonio of today.

Though there is a wide discontinuity between the Spanish-Mexican and the Anglo-American periods in Texas history, some consideration of the former period is essential to an understanding of certain characteristics of Texas cities of today. Spanish settlement of Texas was undertaken to protect a frontier region from aggression by other powers; and Texas was always an outpost to the government on the south. A series of mission-founding expeditions, beginning about 1690 and extending to about the middle of the next century, resulted in many settlements being founded, but W. F. McCaleb¹ estimated that their combined population never exceeded ten thousand, and Almonte,² who took a census in 1835, found only three mission towns surviving. The Indians had fairly well reclaimed the land from the Spanish.

Meanwhile, the Anglo-American Southerners, seeing the necessity for extending their domain westward if they were to maintain the delicate balance of power on which the safety of their "peculiar institution" rested, had flooded eastern Texas from the Sabine to the Colorado, with and without benefit of colonization rights. Land speculators were greedily eyeing the Texas plains, as Marquis James has demonstrated in his biography of Sam Houston. Almonte found thirteen municipalities, *i.e.*, towns with their surrounding ranches, with a population of nearly 25,000.³ Stephen F. Austin estimated there were about 46,500 persons in Texas a year later, but Eugene C. Barker, in presenting the figures, says they are certainly exaggerated.⁴ Contemporary accounts are likely to be misleading, since they were written for a purpose; usually to induce immigration. William Kennedy, British consul, tells of a railroad from Galves-

¹*Spanish Missions in Texas*, unpublished manuscript, University of Texas library, p. 97.

²Almonte, Juan Nepomuceno, *Statistical Report on Texas*, 1835, translated by Carlos E. Casteneda, in *Southwestern Historical Quarterly*, XXVIII, 181.

³*Ibid.*

⁴"Descriptions of Texas by Stephen F. Austin," in *Southwestern Historical Quarterly*, XXVIII, 98.

ton Bay to the Brazos River in 1841;⁵ but later historians fail to mention it.

The Anglo-American invasion meant the shifting of the center of dominance from Bexar to eastern Texas, where it remained until after the Civil War; the abandonment of the Spanish system of establishing municipalities, and the development of the region along the standard American pattern of scattered holdings. But few physical forms and attitudes remained from the Latin occupation. The westward stream of migration gave each new town a hinterland to the west reaching much farther than its influence could be extended eastward; and settled the commercial and cultural routes into an east-west direction in contrast to the north-south position they had assumed under Spanish rule. Shreveport, across a state boundary, found itself in the position of an entrepot for a new empire, and established ties which Dallas has been three-quarters of a century trying to break. Manuscripts of the Postmaster General of the Texas Republic indicate these lines in the form of mail routes;⁶ emigrant guides also delineate them.

Following the Civil War, Texas received another wave of emigrating families and young men anxious to leave the scenes of their devastated hopes and begin anew in a new land. Tables of nativity of Texas immigrants and the repetition of county names from the older states indicate the close cultural connection of Texas with the South despite differences in climate and geography.⁷

So long as the immigrant remained east of the Black Lands, he was in a familiar setting of piney woods, rolling hills, and running streams with fertile valleys. But at the edge of the woods he came into a new world; and we have today the social differences between East and West Texas as a result. W. T. Carter has pointed out that Texas is divided by the line commonly accepted as separating the two great soil regions of the nation.⁸ W. P. Webb has succinctly stated the differences when he said that east

⁵*Texas; The Rise, Progress and Prospects of the Republic of Texas*, London, R. Hastings, 1841, p. 393.

⁶Jones, John Rice, unpublished manuscripts on early Texas postoffices and postal routes, in the archives of the University of Texas library.

⁷*United States Census Reports*.

⁸*The Soils of Texas*, Texas Agricultural Experiment Station, Bulletin No. 431, 1931, p. 18.

of the timber line civilization rested upon three legs, water, timber and land; but that west of this line two of the supports were removed and American culture had to be readjusted to fit new conditions.⁹

Texas is primarily an agricultural region; and agriculture is peculiarly dependent on climate and soil. Isothermal lines indicating a climate practically free from frost near the mouth of the Rio Grande and limiting the growing season to about 175 days on the high plains, and rainfall lines indicating a diminution of rain from about 50 inches along the Sabine to less than 10 west of the Pecos checker the state and determine agricultural activities ranging from rice culture on wet lowlands to herding cattle over scanty pastures,¹⁰ though cotton occupies about sixty per cent of the land under the plow.¹¹ Mukerjee has demonstrated how the plant which dominates the agriculture of a region also dominates the culture of the people of that region.¹² Rupert B. Vance, Miss Moulton and others have shown how cotton culture has become a culture complex, forcing the entire cotton belt into a yearly rhythm attuned to the needs of this one plant.¹³

The third element in the agricultural situation, soil, also exerts its influence on culture, and upon urbanization as a cultural element. The coastal plains of Texas are poorly drained, of rather poor soil; and the towns are forced to depend upon commerce. Eastern Texas timberlands are only moderately productive; and the towns are relatively small, serving farmers, the timber interests, and more lately, oil field needs. The black lands are the richest in the state, and of the five Texas cities of more than 100,000 population only one does not derive a considerable portion of its commerce from this area. West of the black lands, soil and rainfall have combined to produce a culture varying

⁹*The Great Plains*, Boston, Ginn and Co., 1931, p. 9.

¹⁰Carter, *op. cit.*, pp. 12, 13, 15.

¹¹Moulton, Elma S., *Cotton Production and Distribution in the Gulf Southwest*, United States Department of Commerce, Bureau of Foreign and Domestic Commerce, Domestic Commerce Series, No. 49. Part III of The Commercial Survey of the Gulf Southwest. Washington, 1931.

¹²Murkjee, R., *Regional Sociology*, New York, Century Co., 1926, *passim*.

¹³Vance, Rupert B., *Human Factors in Cotton Culture*, Chapel Hill, University of North Carolina Press, 1929, *passim*.

———, *Human Geography of the South*, Chapel Hill, University of North Carolina Press, 1933, *passim*, particularly chapters on agriculture.

Moulton, *op. cit.*

between farming and ranching, with the few towns widely scattered, though the invasion of the Panhandle by cotton is radically changing that district, as the last census reports demonstrate. In the Rio Grande valley, rich soil and irrigation are establishing an area which may well prove to be the most highly urbanized in the state.

As agriculture changes, the state will change. In predicting the agricultural future, even the consistently optimistic Department of Agriculture is pessimistic.¹⁴ Cotton and wheat, two principal crops, are chronically over-produced. Truck and fruit farming are highly speculative. The per capita consumption of meat has been steadily declining for some time. The westward shift of farming has important implications for the older agricultural regions.¹⁵ Urban life has been and will be concerned with such factors.

El Paso is probably less dependent upon agriculture than any other large Texas city, though agricultural influence is apparent here also. Located in a rich valley favorable to cultivation by irrigation and at the foot of a mountain pass through which traffic between Mexico and the Santa Fe region, and, later, between the eastern portion of the United States and the newly acquired territory on the Pacific, had to converge, its location gave it importance as a place for resting and replenishing depleted provisions from the time the region was entered. San Antonio probably was placed in reference to San Pedro Springs, but other springs might have served about as well, it seems. The Texas ports are all cultural, that is, man-made. Austin was located for political reasons; Fort Worth owes its position to military expediency. Dallas and Waco, it would seem, might have grown up anywhere else in their general locations, except for such cultural factors as railroads. With the exception of El Paso, it appears that geographic factors have been of little importance in locating Texas cities.

Texas rivers have had almost no effect on city location since they are so variable in flow as to prevent their use either for navigation or power production.

Oil is the only mineral resource which seems to have had great effect on city growth; though it appears that lignite may have

¹⁴United States Department of Agriculture, Miscellaneous Publications, No. 108, *The Agricultural Outlook for 1931*, Washington, Government Printing Office, 1931.

¹⁵*Ibid.*

such effect in the future. Since the first gusher roared into production at Spindletop in 1901, oil has been a major factor in all Texas development. The last census reports show that the fifty-five oil producing counties in Texas averaged an increase in population of 35.6 per cent, as compared with 20.6 per cent for the remainder of the state. The eighty-eight oil producing counties of the southwestern states showed an increase in population of 914,283 as compared with 1,020,323 for the remainder of the four states.¹⁶ Beaumont, Port Arthur, Longview, Breckenridge, Amarillo, San Angelo and scores of other Texas cities attest the power of oil to make easy the transition from provincialism to utmost urbanism.

Though many writers have made the oil boom wickedly romantic,¹⁷ the rearrangement of transportation and marketing facilities, the accumulation of capital for other uses, and the impact of the mores and attitudes developed in the oil fields upon the older social structure is of vastly greater importance.

The ruthless exploitation of eastern Texas timber resources has also left its imprint on the character of some Texas cities; Orange, Beaumont and Houston notably, although this industry usually results in the formation of rather small and temporary centers. In the future timber may become the basis of planned lumbering, paper and furniture industries which will result in more stable and prosperous agglomerations of population in that region. Dr. Charles H. Herty and the Departments of Commerce and of Agriculture have demonstrated the possibility of such a development.¹⁸

¹⁶Eliot, Charles B., *Petroleum Industry of the Gulf Southwest*, United States Department of Commerce, Bureau of Foreign and Domestic Commerce, Domestic Commerce Series, No. 44, Washington, Government Printing Office, 1931, p. v.

¹⁷Cf. Marcossou, Isaac, *Black Golconda*, New York, Harpers, 1924, as an illustration of this literature.

¹⁸*Report of the Commission*, Department of Forestry and Geological Development, to the Governor and General Assembly of the State of Georgia, 1931-1932, pp. 50-63.

Curran, C. E., "White Papers from Southern Pines" in *Paper Trade Journal*, Jan. 1, 1931.

Baird, Parker R., *Southern Woods for Paper Pulp*, United States Department of Agriculture, Forest Service, Forest Products Laboratory, in Coöperation with the University of Wisconsin (mimeographed), 1932.

Bowers, Walter A., *Furniture Distribution in the Gulf Southwest*, United States Department of Commerce, Bureau of Foreign and Domestic Commerce, Domestic Commerce Series, No. 76, Washington, 1933.

Cities depend upon their distributive, industrial and commercial functions, according to William B. Munro.¹⁹ In this scheme most Texas cities would be classified as distributive in character. Industrialism is growing; commercialism is still confined to less than half a dozen centers.

Despite the claims of chambers of commerce for the industrial advantages of their cities, census figures show that Texas industries contribute less than two per cent of the value added by manufacture in the nation; though petroleum refining, cottonseed processing, wood preserving and rice cleaning in Texas all furnish more than fifteen per cent of the value so added in these respective industries. Lumbering, railway shops and petroleum refining give employment to about 40 per cent of Texas' industrial workers; and publishing, cottonseed milling, foundries and machine shops, bakeries, slaughter houses, cotton mills and clothing factories employ about half the remainder. This demonstrates, of course, that Texas industry is still in the extractive and service stages, exploiting natural resources and serving local markets. Only Bexar, Dallas, El Paso, Harris, Jefferson and Tarrant counties have industries which add a total of \$10,000,000 or more to the value of products processed each year.²⁰

However, Malcolm Keir and others have pointed out that industry is moving or expanding, toward the south and west, and it seems correct to assume an increasing industrialism in Texas.²¹

Of interest to sociologists is the movement under way to hasten this trend. Industrialism has become a religion in the South, and Texas has taken a seat on the mourner's bench. Communities finance national advertising campaigns; preachers use their pulpits to argue that only factories can save vast numbers from idleness and vice. Three years ago Texas elected a governor whose recommendation was his industrial success. The legislature is quick to repeal laws obnoxious to capitalists in other states. The whole movement has taken on the complexion of a crusade, with consequent denial of clear thinking, as H. C. Nixon, Wilson

¹⁹Article on "Cities" in *The Encyclopedia of the Social Sciences*, New York, The Macmillan Co., 1931.

²⁰*Census of Manufactures, 1929.*

²¹Keir, Malcolm, *Manufacturing*, New York, Ronald Press, 1928, *passim*.

Rader, Frank K., "Industrialization in the Southwest," in *Southwestern Political and Social Science Quarterly*, X, 332-7.

Gee, Mitchell Broadus and others have recognized.²² Texas early saw the value of such propaganda. In 1901, shortly after the Hogg suits against the major oil companies, Governor Sayers and the Legislature were hosts to a trainload of New Yorkers for a trip over the state in hopes of securing more complete exploitation.²³

Transportation is the industry most closely connected with urbanism, and the fervor with which we pray for cotton mills today is reminiscent of the fever which the coming of the railroads induced, and profited by, in Texas more than a half century ago. Archer Butler Hulbert believes that the great American novel must be written around transportation, since every problem of building the nation has resolved itself into an expression of this element.²⁴ He overstates, but certainly urbanism depends upon quick and easy access to the hinterland upon which the city lives.

Transportation has always been of major importance to Texas. Navigation of the rivers remained hazardous in spite of efforts of the Republic to promote such a transportation system. The Black Lands formed a barrier impassible during the rainy season and which substantially checked migration toward the west.²⁵ The technique of railroad building was fairly well known when the Anglo-Americans wrested Texas from Mexico, and one of the first acts of the new nation was to give a corporation the right, though not the ability, to construct railroads, canals and highways. But little progress was made, though by the time of the Civil War about 500 miles of railway had been built,²⁶ and the Sabine River, for instance, had been navigated as far northwest as Smith County.²⁷

²²Cf. the excellent series of papers in *Annals of the American Academy of Political and Social Science*, Vol. 153, which is devoted to industrialization of the South.

²³Cf. *Natural Resources and Economic Condition of Texas*; report to the Merchants Association of New York, published by the association, 1901.

²⁴*Paths of Inland Commerce*, New Haven, Yale University Press, 1920, p. vii.

²⁵Highsaw, James Leonard, *Early Trade Routes and Trade Centers in Texas, Prior to the Advent of Railroads*, unpublished ms. in the archives of the University of Texas library.

²⁶Potts, C. S., *Railroad Transportation in Texas*, University of Texas Bulletin No. 119, Humanistic Series No. 7, 1909.

²⁷Highsaw, *loc. cit.*

When thoughts turned from war to expansion, Texas yearned for railroads; and promoters were quick to capitalize this yearning. The padded ledgers of the Union Pacific were duplicated in the construction of the Texas and Pacific and, on smaller scales, by other roads. The vision of a transcontinental railroad crossing Texas had its inception before the Civil War in the recommendation of Jefferson Davis, then Secretary of War, for a line along the thirty-second parallel as a military measure. In 1852 five corporations held charters to build this line, and one of them began construction. After issuing \$14,000,000 in stock and building twenty miles of railroad from about \$70,000 realized from sale of stock and loans, and more than \$300,000 in donations, it was discovered that the treasury contained \$4.10; whereupon the road was sold to a Marshall doctor for \$40,000.²⁸ General Fremont promoted a \$50,000,000 corporation to receive \$3,000,000 in state bonds plus twenty sections of land for each mile of railroad constructed, but earned none of the land. Finally, with aid from the national government, Texas aid in land grants, bonds amounting to \$40,000 per mile and large stock sales, and under the whip of competition from the Southern Pacific building eastward from California, the road was completed to a point of connection near El Paso.²⁹ John W. Forney, a director, tells how Marshall donated \$300,000 and sixty acres of land; how Dallas was convinced that a donation of \$100,000 was a proper gesture and how Fort Worth accepted a similar "offer."³⁰ A. B. Gray, an engineer who surveyed a route for the road in 1855, reported the cost of the line to be less than half the value of the lands offered and that more than half the estimated revenues would be profits.³¹ As late as 1908, B. F. Yoakum rehashed the arguments in favor of a liberal railroad policy. Texas needed 10,000 additional miles of railway, he said. Such an increase would add \$640,000,000 to the value of the lands served, establish a new town every 10 to 15 miles with a city of three to five thousand every 30 or 40 miles. Ten new homes would appear for each mile constructed; five families would receive a living directly from each new mile of track, and supplies and labor furnished by Texans would increase

²⁸McAllister, S. B., *The Building of the Texas and Pacific Railway*, M. A. thesis, University of Texas, 1926, p. 16.

²⁹*Ibid.*, pp. 29-34.

³⁰*What I saw in Texas*, Philadelphia, Ringwalt and Brown, 1872.

³¹Gray, A. B., *Survey of Route, Its Cost and Probable Revenue, in connection with the Pacific Railway; Nature of Country, Climate, Mineral and Agricultural Resources*. Cincinnati, Porter, Thrall and Chapman, 1855.

the wealth of the state no less than \$20,000 per mile.³² The first annual report of the Texas Railroad Commission estimates that more than 38,000,000 acres of land were donated to the railroads.

Cities early recognized the importance of railways to their prosperity and made large donations to them. Galveston invested \$500,000 in the Gulf, Colorado and Santa Fe in a vain attempt to gain access to the hinterland without going through Houston.³³ The nod of a railway manager could make or break a community; and such nods were not rare, before the day of regulation. The map of Texas is dotted with towns which the railway missed and which then sank almost to oblivion, and of others which railway connections boomed into metropolitan centers. Jefferson and Dallas might be cited respectively as outstanding examples.

Since 1890 the fight for preference has shifted from the office of the railway manager to that of the Railroad Commission and the Interstate Commerce Commission. Freight rates are to cities what tariff walls are to nations. The Texas commission recognized this fact from the start and upheld the Texas common point system since it resulted in the distribution of wholesale functions at intervals of about fifty miles and Reagan thought such a system better fitted to an agricultural commonwealth, as McPherson has remarked and as the early reports indicate.³⁴ Lately, Dallas has succeeded in breaking down this system and is already integrating the functions performed by smaller towns in that section.³⁵

In the southern part of the state, effects of the rate structure are amply illustrated in the long series of cases bearing on the relations between Houston and Galveston on one hand and between these two cities and New Orleans on the other. The reports of such cases as Consolidated Southwestern, which broke the common point territory system, Docket 1700, ICC, and Galveston Commercial Association v. Galveston, Harrisburg and San Antonio Railway Co.³⁶ are excellent documents for students of urbanism.

³²*Transportation Facilities, the Foundation of Agricultural Prosperity*, pamphlet, an address delivered at Fort Worth, Texas, February, 1908.

³³Potts, *op. cit.*, pp. 87-88.

³⁴*Cf. First Annual Report of the Railroad Commission of Texas*, Austin, 1892.

³⁵*Consolidated Southwestern Cases*, 123 I. C. C. 203.

³⁶128 I. C. C. 349.

However, in late years the automobile and motor truck have disturbed the equilibrium of the transportation system. The Supreme Court of the United States took cognizance of the situation in the case of *Sproles v. Binford*,³⁷ a Houston case, and ruled that the state has the right to force traffic to use the railways instead of the highways, thereby effectively stopping the huge traffic in cotton by truck, according to reports made at a meeting of the Southwest Shippers Advisory Board meeting in San Antonio, March 2, 1933. Regardless of such decisions, it is evident that automobile and truck are rearranging industry, spreading out cities, and doing much to eliminate traditional urban-rural differences by ruralizing the city as well as by urbanizing the country, as Melvin Knight has said.

To date it would seem the effects of aviation are more psychological than physical, though the fact that Texas is criss-crossed by portions of a national air traffic net which last year carried nearly 500,000³⁸ passengers over routes protected by emergency landing fields at almost every town in the "city" class as defined by the census is sufficient to indicate how far wrong H. G. Wells was when, in 1900, he predicted that air travel would never have any appreciable effect on city growth.³⁹

From these considerations it is believed that the chief factors underlying the growth of Texas cities may be identified. Suitability of soil and climate are, to be sure, essential to the support of a population, no matter where it may be located. Political conditions, the state of technology, the density of adjoining populations, and numerous other factors may be of significance in the development of a particular region. But the most important factor of all is transportation. To the extent that the transportation system of a city saves time and cost it frees the city from the effects of most of the conditions unfavorable to human occupation. Transportation truly makes the city, and in Texas the healthy beginning of a growing urbanism has been very largely the result of a particular, man-made kind of transportation, namely, the railroad.

³⁷286 U. S. 263.

³⁸United States Department of Commerce, Aeronautics Branch, *Air Commerce Bulletin*, Vol. IV, No. 5 (Sept. 1, 1932).

³⁹"Probable Diffusion of Great Cities in the Twentieth Century," in *Fortnightly Review*, Vol. 75, pp. 925 ff.

AN UNSOLVED PROBLEM IN CITY GOVERNMENT:
POLITICAL LEADERSHIP AND EXPERT
ADMINISTRATION

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Although conditions have improved since Bryce characterized the government of our cities as the one conspicuous failure of the United States, numerous obstacles still retard the achievement of higher standards of efficiency and effectiveness. A chief hindrance to general advancement lies in the fact that adequate political leadership has not been combined with expert administration. As one phase of this basic but unsolved problem is organic in character, an immediate need is to devise types of city government which will promote the desired end without running counter to the political habits and ideals of the American people. These cannot be brushed aside or changed at will and any plan which is unadaptable to them is more than likely to prove a failure. Experience has demonstrated that even a seemingly clumsy machinery of government can operate effectively and economically if controlled by a capable personnel supported by traditions that demand a high standard of public service. It is, for instance, the prevailing conception of public duty and the spirit in which public servants wield political authority, rather than excellence in the framework of government, that account for the praiseworthy accomplishments of many German and English municipalities. Nevertheless, structural organization is by no means a negligible factor; and the purpose of this article is to consider changes in the form of city government which may help to provide skillful administration in conjunction with that type of forceful public leadership needed in the urban communities of the United States.

Defects and Merits of Prevailing Types of City Government

Of the four prevailing types of city government in this country, the weak mayor and the commission plans are undoubtedly the least desirable. Because of an extreme separation of powers and too many checks and balances, the weak mayor-council plan makes effective democratic control difficult, if not impossible; hinders genuine political leadership; and discourages the development of experts in municipal administration. Division of responsibility

is carried so far that even with honest and capable office-holders and a proper attitude on the part of the public the best results cannot be attained; and, as a matter of fact, the defects of the plan have not only deterred the right kind of man from seeking office but have served to camouflage the rule of special privilege.

Commission government may be indicted on the grounds that administration is disintegrated; commissioners are charged with a dual rôle which they are rarely qualified to perform; the number of administrative departments is determined arbitrarily, without reference to actual needs in particular cities; and no provision is made for effective and responsible leadership. Although all powers are vested in the commission and each commissioner as head of a department is responsible to the commission as a whole, practice has demonstrated that the attainment of coördinated administration is a matter of chance. Each commissioner, chosen by popular vote, is supposed to represent his constituents in the determination of policies and at the same time to act as the chief administrator of the department to which he is assigned. As a layman he may be qualified to participate in the deliberative functions of the commission, but it is seldom that he has had the technical training necessary to make him an efficient administrator; nor is popular election likely to result in choice of the executive type. Even when the commissioners are supposed to act only as the nominal heads of the departments to which they are assigned, the temptation to interfere is great, because most commissioners are inclined to use their departmental authority to strengthen themselves politically; and under the part-time scheme a single, responsible head of city administration is still lacking. Political as well as administrative leadership is unprovided for under the commission plan. What is everybody's business proves in practice to be nobody's, and, as a rule, none of the commissioners assumes the responsibility of acting as spokesman for the commission in the presentation of a program of services to the public. The powers of the mayor-commissioner differ so little, ordinarily, from those of the other commissioners, that the mayor is in no position to provide the requisite leadership. Commission government fails on several counts: disintegrated administration, inexperienced administration, lack of leadership. Its virtues are simplicity, general concentration of responsibility in a small commission, a short ballot, and the opportunity offered for reasonably effective democratic control.

The strong mayor-council and manager plans are the best organization products that have evolved from the processes of city government in the United States. The former provides a type of leadership in public affairs which the people of most cities desire and does so without sacrificing integrated administration; but the amateur rather than the professional administrator holds sway, and the political function is divided between relatively independent organs at the cost of genuinely responsible government. Unfortunately, the political leadership of the strong mayor has been obtained chiefly through the sacrifice of an expert administrative personnel. The extensive powers of appointment and removal which distinguish a strong from a weak mayor constitute the basis of leadership in both administration and the determination of policy, directly and indirectly respectively. Both types of mayor can send messages to the council, call special meetings, and veto the council's acts, but it is seldom that a typical "weak" mayor has been able to provide continuous and effective leadership of any kind. Although the strong mayor is usually granted budgetary power, its effective use is also largely dependent upon his power of appointment and removal. Undoubtedly, the establishment of a merit system, in fact as well as in law, would partly remedy the situation so far as expert personnel is concerned, especially if applied high enough in the administrative service. It would, however, detract from the potency of the mayor's leadership in matters of general policy, even though that leadership is based in part upon such extra-legal factors as personality, the exigencies of party politics, and the public attitude. Furthermore, popular election of the mayor is open to the objection that those qualifications which make for success in securing nomination and in the winning of elections are not necessarily associated with those of the good executive; and to combine the tasks of political leadership and administrative direction in a single office is to demand too much of any one man, with the result that one or the other duty is neglected. It is the rare mayor who can play both rôles satisfactorily. Along with these difficulties the strong mayor plan divides responsibility between mayor and council and thereby encourages its evasion, a fact which renders more difficult the exercise of effective democratic control.

Council-manager government is desirable in that it provides for a separation of function without a separation of powers and vests final responsibility for city affairs in the council. The

office of city manager promotes the development of public service as a profession, increases the chances of expert administration, and definitely locates administrative responsibility. In short, the plan has demonstrated that popular control and a high standard of administrative service are not incompatible. However, city manager government has one major weakness, its failure to provide for public leadership in the promotion and determination of policy, and consequently the just enforcement of councilmanic responsibility is rather difficult, popular interest tends to wane, and well-defined programs of city service are formulated only by an officer, the manager, whose rôle is supposed to be nonpolitical in character. Some managers, for instance former manager Hopkins of Cleveland, have chosen or been forced to play the part of a strong mayor, and others, such as ex-manager Sherrill of Cincinnati,¹ have devoted themselves primarily to administrative direction and supervision. Sooner or later managers of the Hopkins type find the political waters too stormy and not only lose their positions but in the process create dissatisfaction with the manager plan, whereas the Sherrill type, in avoiding these difficulties, leaves the city without leadership of the kind necessary to arouse continuous public interest and increase the effectiveness of democratic control, unless by chance a Murray Seasongood appears upon the scene.² In his study of city managers, Leonard White comments on the failure of the council, the lack of needed community leadership, the failure of many managers to understand the part that the manager should play, an increasing inclination of councils to choose local men, and the inadequate supply of properly trained managers.³ These are the chief weaknesses that have developed in a period of nearly twenty-

¹For studies of Hopkins and Sherrill as managers see L. D. White, *The City Manager*, Chapters I and II.

²Murray Seasongood served as mayor of Cincinnati from 1925 to 1929 inclusive. An account of his accomplishments is given by R. Wilson, in "Our American Mayors: XV. Murray Seasongood of Cincinnati," *National Municipal Review*, 2 (2) Feb. 1929: 68-75.

³*The City Manager*, pp. 298-306. In 1929 there was a trend toward the selection of out-of-town men as managers but this was not so in 1930. See O. F. Nolting, "Council-manager Government in 1929," *Public Management*, 12 (3) Mar. 1930: 82-88, and "Council-Manager Government in 1930," *Public Management*, 13 (1) Jan. 1931: 23-29. E. S. Bradford refers to the non-political character of councils under the manager plan as their most striking feature, "Manager Cities in Action: III. A New Brand of City Council," *Natl. Munic. Rev.*, 19 (4) Apr. 1930: 227-230.

five years, and there is reason to believe that one of them, the absence of political leadership, is at least a contributing cause of some of the others. The structural relation between the manager's office and the council is satisfactory, but the assignment of the political function to a group of men with no arrangement conducive to the development of a functional leadership is too much of a gamble. In theory, the public promotion and defense of policy is the council's business, but, in practice, this duty has either been neglected or performed ineffectively. It has been pointed out frequently that the mayor should lead in the formulation and promotion of policy, but few mayors have done so and few will, except in a perfunctory manner, until their position is strengthened. Sustained leadership is generally impossible in the absence of power. On the whole, the manager plan has proved successful, but its future will be more secure, particularly in the large cities, if this problem of leadership in the performance of the political function is solved.

*The Bases of Democratic Control, Expert Administration,
and Political Leadership*

The next step in organization should be the development of a plan or plans of city government which will not only measure up to the standards of responsible government and expert administration, but will at the same time furnish a sound legal basis for an effective and sustained political leadership. These desiderata cannot be assured through legal provision alone, as is well known, but without the latter their attainment is difficult under present conditions in the United States.

Democratic control depends upon a number of factors in addition to that fundamental element of Utopian democracy, an interested, informed, and wide-awake electorate. The governmental plan, in its operation, must be easily understandable by the voters; the ballot should be short; and lines of responsibility should be clearly drawn, converging, preferably, in a single governmental organ operated by individuals chosen by popular vote in such a manner as to be thoroughly representative. Expert administration, which must be combined with popular control, is facilitated by separation of the policy-determining and administrative functions, by the installation of a personnel policy under which officials are selected and promoted on a basis of merit, and by a concentration of authority such as will result in a real directing and supervising head of administration.

So far as leadership is concerned, it has been demonstrated time and time again in the field of government that power is its basis. There is, of course, no single source of power and no guarantee that possession of power will automatically give rise to the right type of leadership, since much depends upon the degree and kind of power, its location, the character of its possessor, and the current political situation. In political spheres, personality, the ability to control and deliver votes, party support, wealth, intelligence, oratorical ability, and legal authority constitute some of the chief sources of influence which, singly or in various combinations, account for the dominance of particular individuals or groups. Of these, only legal authority can be embodied in a formal plan of government, but, with the proper legal arrangements, one obstacle to the development of effective leadership is at least removed, even if such arrangements are not in themselves guarantees that it will be forthcoming. Although power is the prerequisite, care must be exercised that the nature of the power provided bear an appropriate relation to the type of leadership desired. That is, administrative leadership should be based upon administrative authority, whereas political leadership should be founded upon policy-determining powers.

Changes in the Mayor-Council Plan

In considering structural alterations for the purpose of developing adequate political leadership without paying the price of inept administration and ineffective democratic control, it would be unwise to ignore the good points of the two forms of city government that have proved most successful in the United States. For this reason, one of the three proposals that follow is based upon the strong mayor type and the others involve modification of the council-manager system.

In the first place, a chief administrator might be added to the strong mayor plan to relieve the mayor of his administrative rôle. Under such an arrangement the popularly elected mayor would retain his usual legislative powers but would be deprived of his present powers of appointment and removal. He would, however, be charged with the duty of selecting the chief administrator and have power to dismiss him at pleasure, subject only to the restraint of written charges and a public hearing at the demand of the latter. His freedom in appointing the administrator might well be restricted by requiring that the man of his choice obtain a satisfactory rating on suitable examinations prepared by an

appropriate personnel agency, state or local. The administrator would be placed in complete control of administration by grant of authority to appoint and remove departmental heads and subordinates and by conferring upon him the necessary powers of direction, supervision, and investigation. It would also be desirable to charge him with the initial responsibility for preparation of the budget, but final responsibility and the duty of submission to the council ought to rest upon the mayor in order to strengthen his position as a political leader. Both mayor and administrator would have the privilege of attending council meetings and taking part in discussion, although neither would have a vote.

The obvious objections to this plan are that in all probability there would be a change in administrators with each new mayor and that mayors so minded would not be barred from interference in administration for political or other purposes. The result in the long run would probably be the selection of mediocre men willing to obey orders. It is unlikely that the requirement of the council's approval in connection with the selection and removal of the administrator would prove expedient. The latter would be less dependent upon the mayor under such circumstances, but it is doubtful if any good would come from a dividend responsibility in this matter. What is more, the chance of effective political leadership by the mayor would be rather slim if he were deprived not only of his usual extensive appointive and removal power but also lacked authority to hire and fire the administrator at pleasure. Aside from factors of personality and party politics, the primary bases of leadership would then be his veto power, his privilege of sending messages to the council, and the fact of his election by the voters at large. These, however, would not form a sufficient foundation for the development of sustained leadership. On the other hand, if, as suggested, the mayor be authorized to select and remove the chief administrator, control over administration would continue, as at present, to be a chief source of his political power. The strong mayor-council plan with an administrator added would also be objectionable because of the governmental responsibilities divided between mayor and council. Separation of powers and checks and balances are not conducive to effective democratic control and a smoothly operating city government.

This mayor-administrator-council plan has possibilities and might prove very successful *if* a good administrator were chosen and allowed to continue in office so long as he performed his duties satisfactorily. Yet, until the public becomes intolerant of changes

in personnel for reasons other than lack of capacity or unwillingness to render good service, the "if" looms large upon the political horizon. Nevertheless, the provision of an administrative head under the mayor would relieve an overburdened official in the large cities and enable him to devote most of his time and effort to the formulation and promotion of policies and the maintenance of public contacts, without in any way increasing the chances of obtaining poor government. A plan similar to the above has been advocated by Dr. L. D. Upson, Director of the Detroit Bureau of Governmental Research, who proposed an administrative assistant chosen by the mayor from eligibles determined by competitive examination.⁴ The recently adopted San Francisco charter also provides for a chief administrator appointed by the mayor; but this official is placed in charge of only a limited number of departments.⁵

Modification of the Council-Manager Plan

Another proposal, which amounts to a modification of the manager plan with respect to the office of mayor and its relation to the council, is designed to promote sustained political leadership without at the same time destroying the essential features of council-manager government. The popularly elected council would be granted all powers of the municipal corporation and have authority to select and remove a city manager who would have full charge of administrative work, be privileged to attend council meetings, participate in discussions, recommend policies, and have the right to call special meetings of the council. A mayor, chosen by popular vote, which is the method of choosing this official in approximately one-third of the cities now operating under the manager plan, would be the official head of the city, a member of the council, and the presiding officer of that body. In addition to these customary powers, it is suggested that he be given a suspensive veto,⁶ be charged with the duty of submitting a legisla-

⁴"A Proposal for an Administrative Assistant to the Mayor," Detroit Bureau of Governmental Research, Report No. 123, 1931. A summary is printed in *American City*, 44, June 1931: 93.

⁵For a brief description of this charter see W. H. Nanry, "San Francisco Adopts a New Charter," *Natl. Munic. Rev.*, 20 (5) May 1931: 259-263.

⁶The mayors of a few cities operating under the manager plan have been granted a veto power. Examples are Griffin, Ga., and Elizabeth City, N.C. See R. T. Crane, *Digest of City Manager Charters*. A popularly elected mayor with veto power and the right to appoint and remove the manager subject

tive program to the council, and be granted the right to order a referendum at his discretion whenever the council overrides his veto or refuses to support measures he advocates. However, his powers of veto and referendum would not apply in connection with the selection and removal of the manager; nor would it be feasible to permit referenda on appropriation or revenue ordinances. It would also be desirable, by charter provision, to give his proposals the right of way over those of other councilmen and to permit him, as presiding officer, to determine the composition of council committees. Preparation of the budget would be a duty of the manager, but by granting the mayor an item veto with reference to appropriation ordinances he would have sufficient control to hinder the adoption of financial programs that would interfere seriously with the policies he advocates.⁷ At the same time his veto could be overridden with finality by the council if he should attempt in this way to defeat projects with which he had no sympathy. By virtue of powers such as these a mayor would be in position to provide sustained political leadership on the basis of extensive policy-determining authority rather than because of his administrative powers, as is the case under the strong mayor plan. In respect to measures favored by a simple majority of the council but vetoed by the mayor and not passed over his veto, it might be well to provide for reference to popular vote upon petition by the voters in accordance with the usual referendum procedure.

Due to the important rôle thus assigned the mayor in the policy-determining function, it would be necessary for the manager to keep in close touch with him, although no manager could afford to ignore the other members of council without running the risk of losing his position. It is unlikely that the relations between manager and council would be any less satisfactory than at present. There is the possibility that a hostile majority of the council might maintain in office a manager objectionable to the mayor, thus giving the latter opportunity to attribute the failure of his policies, if they should prove unwise, to those charged with their execution. The mayor might, under such circumstances, be authorized to order election of a new council. However, not only are his powers sufficiently great as outlined to produce the desired

to the approval of council was suggested by J. W. Routh, "Thoughts on the Manager Plan," *Nat. Mun. Rev.*, 12 (4) April, 1923: 176-180.

⁷An item veto would not enable the mayor, except in an indirect manner, to force the appropriation of money.

political leadership, but, assuming the existence of such a provision, if the same or another hostile majority received the support of the voters, his resignation would be in order, an additional election to choose his successor would then be necessary, and there would be no guarantee of the choice of an individual more favorable to the council majority. Mayoral authority to dissolve the council seems inadvisable unless selection of the mayor rests with that body.

With a council of five, including the mayor, the general plan suggested would work out as follows: A vote of three would be necessary to pass an ordinance. If vetoed by the mayor, the other four councilmen would have to agree in order to overcome the veto, and in that case the mayor could refer the measure to the voters. Should the council fail to act favorably upon a proposal of the mayor he could likewise order a referendum and thus appeal to the voters for support. In either case, the mayor would have to defend his action and sell his policies to the voters, while the opposition would be compelled to develop leadership in order to meet with success at the polls. There is danger, of course, that in such cases the manager might be drawn into the conflict and be tempted to side with the majority of the council to save his own skin, but the danger would be no greater than under the present form of manager government and would depend in large part upon the tact and good judgment of the manager. The important privileges assigned the mayor in the legislative process should furnish an incentive and provide the means for the development of leadership, while popular election of such a mayor, who is by no means a figurehead though lacking administrative power, should satisfy the desire of the people to choose an officer about whom public interest would center.

It might be objected that so much power is given to one man in the legislative process as to be destructive of the principle of representative government and majority rule. Opposition on this ground from those advocating the strong mayor-council plan is not in the best of taste; and so far as other opponents are concerned it may be pointed out: first, that the price of leadership is power; second, that disputes between the majority and minority could be settled by the voters through the referendum; third, that responsibility for the adoption or the rejection of policies would be more definitely fixed and better advertised than is usually the case; fourth, that the most numerous group of voters, if sufficiently large, would ordinarily be successful in the election of a

mayor and enough councilmen to control the council; and lastly, that existent councils are just as subject to minority rule and subversive of the representative principle as the one proposed. Nor is it likely that the average mayor would fail to heed the views of other members of the council, who would have ample opportunity to express their opinions and exercise considerable influence in the determination of policy.

Many persons would probably oppose that feature of this plan which permits the reference of questions to the voters for final decision, on the ground that the electorate is not qualified to act in such matters and is already overburdened. It is doubtful, however, it referenda would be ordered with great frequency, since, for a number of reasons, a mayor would probably hesitate before resorting to this device too often. There would always be the risk of repudiation at the polls, and constant appeal to the people would indicate the mayor's inability to persuade councilmen to his way of thinking. Referenda would probably be ordered only in case of disagreement on matters of vital concern, after attempts to compromise had failed.

A third proposal is based upon the application of some of the principles of the parliamentary system to the council of the city manager plan. No change in the office of manager or in the method of filling that office would be necessary, nor would the usual powers of the council or the relation between council and manager be disturbed in any way. The alteration contemplated would affect only the mayor and the council of which he is at present a member. Its sole purpose would be to render more likely the development of sustained leadership in the policy-determining function. As at present, the council would be chosen by popular vote, preferably from the city at large, and its first duty would be the selection of a mayor from its own membership, said mayor to be the official head of the city, spokesman for the council, and its presiding officer. The mayor would be charged with the responsibility of formulating a program of policy, his proposals would, by charter provision, have right of way over all others, and he would be granted authority to dissolve the council and thereby appeal to the voters to support his plans by electing friendly councilmen. Tenure of office of the mayor, as mayor, would not be fixed but would depend upon his ability to command support of the council majority. If unable to do this, his resignation would be in order or he could dissolve the council. A mayor refusing to pursue either of these courses of action could be made removable by council

after the lapse of a definite period of time, such as two weeks or a month, following a formal vote of lack of confidence.

With powers such as these a mayor ought to be able to lead in the formulation and promotion of policy and could not very well dodge the responsibility of leadership without losing his position. Certainly under this arrangement the people would understand more readily the respective rôles of mayor and manager, and the city would at all times be provided with some degree of that effective leadership by and in the council which is so sadly lacking in many manager-governed cities. A mayor who failed to lead though still supported by the majority might occasionally appear, but such a situation could be guarded against by permitting the voters to force dissolution on petition. In all likelihood, fairly comprehensive service programs and the mayoralty would become outstanding issues in the election of councilmen, with the result that the manager plan would acquire political vitality without sacrificing the character of the manager as administrative agent of the council and without preventing him from attending council meetings and making recommendations as he now does.

A major objection to this scheme lies in the fact that the voters are not given the opportunity to choose directly a city official corresponding in prominence to the President in national affairs, the governor in the state, or the mayor of the familiar type. There is no serious reason why they should be, except that the American electorate seems to enjoy a spectacular and spirited contest for an outstanding office and apparently fears that popular control means little unless it can fill such a position. This may be reason enough, especially since competition for positions of the type indicated constitutes about the only effective stimulus of public interest in the processes of government in the United States. Another probable obstacle to the success of a change of this type is the unfamiliarity of the American voter with resignation in the face of lack of confidence or with dissolution as an instrument for measuring public opinion; but these innovations are more apt to hinder the adoption of such a plan than to prove unsuccessful if given a trial.

A cure for the ills of city government in this or any other country is not to be sought in organization alone, and too much emphasis can not be placed on the fact that no plan is likely to prove a success unless the citizens and officeholders have the will to make it work properly. The alterations suggested, which

involve no radical departure from existent forms of city government in the United States, do not exhaust the possibilities of reorganization designed to provide civic leadership, expert administration, and democratic control. The position of the mayor under the suggested mayor-administrator-council plan might, for example, be strengthened by granting him the right to introduce ordinances, by giving such ordinances a privileged status in council proceedings, and by conferring upon him the power to order referenda. Serious objections can be advanced against any of the proposals, but discussion concerning both defects and merits will necessarily be largely speculative in character until some time after the plans have been put into operation. Richard S. Childs, writing for the *National Municipal Review* in June, 1932, expressed the opinion that popular election of a powerful mayor in the larger cities makes the political machine an almost inevitable feature of local politics and claimed that the virtue of the typical council-manager plan lies in the superior arrangements whereby the people deal with the elected representatives who constitute the council, no one of whom overshadows and obscures the rest in importance. However, although machine politics may be inevitable in the case of an elective mayor vested with extensive administrative authority, it remains to be seen whether or not such would be the result if a mayor's legal powers pertained solely to the formulation and adoption of policy. At best, of course, governmental structure can only hinder rather than prevent the sway of the machine politicians. Whatever the details of organization, the satisfactory solution of the problem of political leadership and expert administration depends, in part, upon recognition of the principle that political leadership must be based, not upon administrative powers, but upon extensive authority in the matter of policy determination. At the same time, the knowledge obtained through administrative experience must be made available to the policy-determining functionaries.

THE DEVELOPMENT OF COAL OPERATORS' ASSOCIATIONS IN THE SOUTHWEST

BY FREDERICK L. RYAN

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Coal miners entered the Southwest in the 1870's, and small mines were opened in Kansas, Missouri, Arkansas, and Indian Territory. After 1885, development was rapid, and by 1889 Kansas and Indian Territory together produced 3,000,000 tons of coal.¹ By 1900, there were about 10,000 coal miners in Kansas, and 4,000 in Arkansas and about the same number in Indian Territory. In the same year there were 3,000 coal miners in Missouri.²

Unions were first introduced in the coal mines of the Southwest in the early 1880's. In 1883, local assemblies of the Knights of Labor were secretly organized among the leading men in the mining centers. These assemblies devoted themselves to the education of their members on the leading public issues of the day. They did not succeed in organizing the mass of workers; in fact, they did not put forth any considerable effort to do so.

In the midst of the depression of the 1890's, the members of these assemblies of the Knights of Labor were forced to take a more realistic view of the functions of labor organizations. In 1894 the employers announced a reduction in wages. A strike lasting six months followed. The miners were completely defeated, and were forced to return to work at a wage reduction of 25 per cent. The assemblies were broken up, and only a few remained in existence from 1894 to 1898. This disorganized condition resulted in fierce, sporadic strikes for higher wages, shorter hours, and changed conditions of work.³ The employers combated the miners by importing strikebreakers, newly arrived immigrants from eastern Europe or negroes from the Southern States, and by securing injunctions from the States' judiciaries.

The way remained open for an organization devoting itself solely to improving the immediate interests of the miners. This occurred in 1898, when a district of the United Mine Workers of

¹Reports of the U.S. Immigration Commission, 1911, Vol. 7, p. 9.

²*Ibid.*, p. 10.

³Statement of G. E. Mikel, old time member and officer of District No. 21, United Mine Workers of America.

America was formed, composed of the miners of Arkansas and Indian Territory.⁴ A charter named this District No. 21. District No. 14, composed of the miners of Kansas, was organized at about the same time, as was District No. 25, comprising the State of Missouri. In 1903 the miners of Texas were organized and joined to District No. 21.

Meanwhile, the system of joint agreements in the central bituminous coal fields had come into existence. Based upon the precedent of earlier conferences, John Mitchell, in 1898, led the miners of Ohio, Indiana, Illinois, and Western Pennsylvania into an agreement with the operators whereby a scale of wages was adopted for all the workers in and about mines. The agreement provided for a considerable increase in wages, from 28 to 40 cents a ton for the Danville district of Illinois, about 40 per cent over the wages of 1897, and an eight hour day, where previously ten hours had been the working day.⁵ This scale and these hours of labor became the basis for all negotiations between the miners and operators throughout the United States. By 1900, the miners of Kansas and Missouri were successful in negotiating a scale of wages, and joint conferences were established with the operators.⁶ But in Arkansas and Indian Territory the large operators refused to meet with representatives of the United Mine Workers in a joint conference, even though most of the small operators attended a two-day conference at Fort Smith, Arkansas. The large operators insisted upon paying 50 cents a ton for coal, five cents below the scale demanded by the miners, and worked the miners ten hours a day, while the union was asking for eight. From 1899 to and including the year 1902, strikes disrupted all mining operations throughout Indian Territory and Arkansas. Riots, bombing and burning of mine property, eviction and arrest of union members, the importation of strikebreakers, the use of armed guards and battles between them and the miners, the discharge and blacklisting of union members, the use of the injunction process against the strikers, were of frequent occurrence. These years of strife embittered both operators and miners; even after thirty years a belligerent attitude upon labor questions characterizes many operators and miners in the Southwest. The

⁴Chris Evans, *History of United Mine Workers of America*, Vol. 11, pp. 604, 605.

⁵*Ibid.*, pp. 792, 793.

⁶Report of the U.S. Industrial Commission, 1901, Vol. XII, p. 699.

strike ended in 1902, when Peter Hanraty, president of District No. 21, met the large operators in St. Louis, and an agreement was reached. The miners won the eight-hour work day, a semi-monthly pay day, and a 55-cent tonnage rate.

Coal operators' associations began to be organized in the Middle West in 1901. Indiana and Illinois led the way. The operators' associations of these states appointed a full-time officer, called a commissioner, to attend to their interests. These associations became the pattern for the operators' associations formed in the Southwest.

The primary reason for the organization of the Southwestern Interstate Coal Operators' Association was to bring the operators together to meet the United Mine Workers in joint conference. It was thought by some operators, too, that a conference might bring about some measure of equality of competitive conditions among the operators of the region. On June 19, 1903, a meeting of Missouri and Kansas operators was convened in Kansas City to consider the project of forming an association.⁷ The meeting adjourned, agreeing that the operators of Arkansas and Indian Territory should be invited to meet with them. On July 9, 1903, seventy-one operators from these four states, representing 80 per cent of the coal mined in the area, and nearly one-half of the total number of operators, assembled in Pittsburg, Kansas. A constitution was adopted, officers named, and a full-time commissioner, Bennett Brown, of Hartford, Arkansas, was elected. No sooner was the association formed than representatives of the United Mine Workers met with representatives of the operators in joint conference, and an interstate agreement was signed, covering Districts Nos. 14, 21, and 25, taking effect September 1, 1903, and ending August 31, 1904.⁸ In 1904 the operators of Texas were admitted to the association.

In the light of their attitude toward labor organizations, employers' associations are sometimes classified in two groups, as follows: (a) bargaining associations, (b) militant associations.⁹ The Southwestern Interstate Coal Operators' Association might be classed with the bargaining association group for the reason that from 1903 to 1924 it regularly made agreements with the

⁷Constitution of the Southwestern Interstate Coal Operators' Association, 1926, pp. 14-16.

⁸*Ibid.*, p. 16.

⁹Gordon S. Watkins, *Labor Problems*, p. 563.

United Mine Workers. Such a classification, however, is unsatisfactory, in that it tends to over-simplify the activities of the association.

Conferences were arranged and agreements made periodically after 1903. Biennially, in 1904, 1906, and so on, representatives of Districts Nos. 14, 21, and 25, United Mine Workers, and operators' representatives from the three districts met in Kansas City, formulated the wage scale, and agreed as to conditions of labor. In the years 1910, 1916, 1919, and 1922, strikes and lock-outs occurred while the contract was under negotiation. In 1917 the operators increased wages, foregoing their rights in the remainder of the two-year contract, when the plight of the miner under the influence of the rising cost of living was tending to deplete the coal mines of their customary supply of labor. Twice, in 1917 and in 1919, the Federal government, through the medium of the Fuel Administrator, made awards of wages that applied to every coal field in the United States.¹⁰ The conferences continued after the World War, in 1920, 1922, and the last in 1924.

An examination of the underlying structure of the employers' association discloses some of the reasons for these years of successful negotiation and some of the difficulties incident to bargaining with the union.

In the first place, the association was largely dominated by four operators. The Central Coal and Coke Company, operating in Kansas, Missouri, Arkansas, Oklahoma, and Wyoming, was capitalized at \$7,000,000, and ordinarily produced 3,000,000 tons of coal each year.¹¹ This was approximately one-fifth of the entire coal output of the Southwest. This company had an appreciable amount of influence in the affairs of the association. Article 111, Section 1, of the constitution provided that every person, firm, or corporation should be entitled to one vote, "but every member shall be entitled to an additional vote for each one hundred thousand (100,000) tons of coal, or majority fraction thereof, produced annually by such person, firm, or corporation." Therefore, the Central Coal and Coke Company had over thirty votes in the association. The Western Coal and Mining Company, operating in Arkansas, and the Osage Mining Company and the Rock Island Coal Company, with mines in Oklahoma, were also

¹⁰Hearing before Committee of Manufactures, U. S. Senate, *Production and Profits in Coal*, 1921, Vol. 2, pp. 1274, 1305.

¹¹*Ibid.*, Vol. 1, p. 765.

large producers. These companies made up the nucleus of the association, and were known as the Big Four. The conferences at Kansas City were dominated, on the employers' side, by the representatives of these four companies. Charles S. Keith, president, and Harry N. Taylor, vice-president, of the Central Coal and Coke Company, and W. L. A. Johnson, General Commissioner of the association, took leading rôles in these conferences.

In the second place, there were in the Southwest about twenty operators, denominated "independents," who refused to join the association, but who paid the union scale and maintained union conditions. These independent operators occupied an anomalous position in relation to the agreements made between the association and the union. Ordinarily, the Interstate Conferences were harmonious, and contracts were made without serious dispute. But upon three occasions, in 1910, 1916, and in 1922, strikes of a duration of over three months occurred while new conditions were being negotiated. The independents, having no part in these conferences, were not struck and continued production. They supplied coal to markets previously held by the large operators, and by making long-term contracts with buyers, were frequently able to hold these markets after the strikes were settled. They injured the large operators, also, by offering employment to the best workers during a strike, and by retaining these superior men after the conflict was over.

The presence of these independent operators in the region placed the United Mine Workers in a difficult position so far as the retention of contract conditions was concerned. The independent operators maintained that they were friends of the union, and that they refused to join the Operators' Association because the large companies opposed the union. The United Mine Workers, for another reason, were disposed to look upon these independents with a lenient eye. If, during a strike, the entire supply of coal should be cut off, public sympathy, it was feared, would be alienated from the union. The independents, therefore, were allowed to produce coal for the public utilities and for governmental institutions during a strike.¹² On the other hand, the agreement was made with an association dominated by the large companies, who continually urged the organization of all operators. If the union conceded to the wishes of the association and brought pressure to bear upon the independents to force

¹²*Illinois Miner*, Aug. 5, 1922.

them to join the association, the workers were charged with allying themselves with their principal opponents.¹³

In the third place, not all of the operators who joined the association and contributed to its support were loyal adherents of its policies. Some operators opposed the domination of the Big Four. There were many reasons for this attitude. The natural conditions for the production of coal were not uniform throughout the region. The Missouri coal veins were thin, and the coal hard to get. In Oklahoma and Arkansas there were appreciable differences in the cost of production from mine to mine, but, as a rule, coal mining was more costly than in Kansas. The Texas coal was of an inferior quality. Consequently, a wage scale that would leave a fairly liberal margin for some companies in the difference between costs and selling price would force other companies into bankruptcy. The large companies owned some of the best mines in the region and made profits regularly. The Central Coal and Coke Company received an average profit of 7.6 per cent on its capital stock during the period from 1912 to 1919.¹⁴ Some of the small operators complained that the association did not seriously combat the wage increases demanded by the United Mine Workers for the reason that it was an advantage to the large operators, producing at lower costs and having an appreciable control over the market, to destroy their smaller competitors. It is true that the larger companies, through their coal sales associations, exercised some measure of control over the market.¹⁵ The small operators complained, too, that they were not receiving the consideration in the association that their numerical importance warranted. They were dissatisfied with their lack of control over the finances of the association. Part of these funds came from a \$10.00 membership fee, but the larger part was derived from a monthly assessment on the tonnage of coal produced by the members. Large salaries were paid to officers and commissioners, and some of the small operators were anxious to share in the control of these financial activities and emoluments.

Owing to these conflicting elements, the operators presented a loosely organized, uncoordinated front to the closely united

¹³*Ibid.*, Mar. 18, 1922, speech of Alex Howat, president, District No. 14, United Mine Workers of America.

¹⁴Hearing before Committee of Manufactures, U.S. Senate, *op. cit.*, Vol. 2, p. 1567.

¹⁵Convention of the United Mine Workers, District No. 21, Report of the President, p. 54.

miners. In 1910 the association made an effort to bring all operators into the organization. In the spring of that year the United Mine Workers asked for an increase in wages of 10 cents a ton. The operators refused to agree to this request, and a strike followed. The association leaders drew up the following proposals and submitted them to all the operators: First, non-union labor only was to be employed. Second, the large operators were to control the market, and the small operators, if they did not receive a fair return on the sale of their coal, would receive a bonus, an additional amount, made up of contributions from the other operators.¹⁶ This proposal, called the Iron Clad, was agreed to by some of the small operators, but union officials combatted the scheme on the grounds that it was against the best interests of the small operators to place themselves under the domination of the Big Four, and also that the agreement was unlawful under the Sherman Anti-Trust Act. A number of small operators were convinced of the undesirability of the proposal and refused to join the large companies in opposition to the union. After a strike lasting five months, the operators granted an increase in wages of three cents a ton to the miners, and a new agreement was made providing for union conditions.

In 1916, sixteen Oklahoma operators (joined later by other Oklahoma and Arkansas operators, making over seventy in all), brought their grievance against the domination of the Southwestern Interstate Coal Operators' Association by the Big Four before the conference at Kansas City. The representatives of the miners from District No. 21 introduced the "five-day clause" at the conference, *i.e.*, that a worker once put on the list for work should be guaranteed five days of work, or, if work for five days was not available, should be paid for five days. The miners also entered objections to the automatic penalty clause of the contract,¹⁷ by the terms of which miners or operators were fined if there was a strike or lockout in violation of the agreement.

Practically all of the operators were opposed to these changes in the contract suggested by the miners, but to avoid a conflict with the United Mine Workers the large operators were reported as being willing to accept them. The small Oklahoma and Ark-

¹⁶Statement of Dan Hogan, newspaper Publisher of Arkansas and Oklahoma.

¹⁷See Joint Interstate Agreement and Contract for District No. 21, August 29, 1914, to July 31, 1916, Section 6.

ansas operators, however, were unalterably opposed to the "five-day clause," and they insisted that the automatic penalty clause should be included in the contract. They pointed out that coal production was more costly in those states than in Kansas and Missouri, and that their markets were being restricted by the competition of fuel oil. They indicated that owing to these circumstances the problems of coal production in Oklahoma and Arkansas were entirely different from those of the states to the north. It was the consensus of opinion among the Oklahoma operators that they should separate from the Southwestern Interstate Coal Operators' Association, and make a separate agreement with District No. 21, United Mine Workers. As a final step toward this separation, the 1916-1918 agreement was amended by the introduction of the word "while" in Section 22 of the contract, so that this section would read as follows:

"All the provisions and terms of this contract are hereby mutually agreed to by and between all the operators, *while* members of the Southwestern Interstate Coal Operators' Association and all the miners of Districts 14, 21, and 25. . . ."¹⁸

Shortly after the 1916 conference, the Oklahoma operators withdrew from the Southwestern Association and organized the Oklahoma Coal Operators' Association.

Up to 1924, however, joint conferences were held in Kansas City, attended by the representatives of the miners and operators of Kansas, Missouri, and Arkansas; and although a separate agreement was made by the union with the Oklahoma Coal Operators' Association at McAlester, Oklahoma, it was, upon the whole, a duplicate of the one made with the Southwestern Interstate Coal Operators' Association.

Although one of the main objects of the Southwestern Association, as stated in its constitution, was to negotiate agreements with the miners, it was no mere rubber stamp for the United Mine Workers. From 1903 to 1924 the operators held a balance of power with the miners. Besides opposing the demand for increased wages (as in 1910 and in 1922), the Association upon occasion rid itself of troublesome union opponents (as in the cases of Alex Howat, president of District No. 14, and Fred Holt, secretary-treasurer of District No. 21, who resigned their offices

¹⁸Interstate Agreement and General Provisions of District Contract, May 3, 1924, p. 23. Cf. Agreement and Contract for District 21, August 29, 1914, p. 23.

in 1914 after they had been accused of accepting bribes from the operators);¹⁹ it paid, in part, the charges for suits at law against the United Mine Workers (as in the Coronado and the Pennsylvania Coal Mining Company cases); it entered politics to agitate the election of mine inspectors and other state officials who were favorable to the policies of the operators (as in the cases of the agitation against Tom Shaw in Arkansas, and Peter Hanraty and Ed Boyle in Oklahoma), and that mining laws in their interests were enacted by state legislatures (as in the cases of lobbies maintained at the state capitols during the sessions of the legislatures), and commissioners of the association were appointed in the various districts to act in the interests of the operators in disputes with workers or for the consideration of violations of the contract.

The Oklahoma Coal Operators' Association duplicated on a smaller scale many of the functions performed by the Southwestern Association. From 1916 to 1924 the Oklahoma Association made agreements with the union. During the World War the Federal Fuel Administrator determined the rates of wages for miners, and the prices of coal. On one occasion, President Wilkinson of District No. 21, went to Washington, D.C., with representatives of the Oklahoma operators, and aided them in securing an increase of twenty-five cents a ton in the price of coal. The operators then raised the wages of the miners.²⁰

Compared with conditions before the World War, the market for coal in the Southwest was comparatively good from 1917 to 1920. As early as 1910, however, the markets for Oklahoma coal were restricted by the competition of fuel oil. The profits of operators in Oklahoma were drastically lowered during the depression in the coal industry that followed the World War. The margin of profits on coal production in the Southwest was always lower than that in other areas, and the margins for small operators were generally lower than those for large operators.²¹

Following the leadership of D. C. McAlpine, James McConnell, Franklin Bache, H. C. Rice, and F. B. Drew,²² the Oklahoma op-

¹⁹It was never proven that Holt or Howat had accepted bribes from the operators.

²⁰Proceedings, 26th Convention, United Mine Workers of America, Jan. 15, 1918, p. 991.

²¹Hearings before Committee of Manufactures, U.S. Senate, *op. cit.*, pp. 1408, 1409.

²²Statement of J. G. Puterbaugh, McAlester, Oklahoma.

erators, early in 1924 discussed among themselves the possibility of the miners accepting reductions in wages. The Jacksonville Interstate agreement of 1924, however, provided for the maintenance of the same wage scale for the Interstate field as had existed from 1923 to 1924, and extended it for three years, *i.e.*, from 1924 to 1927. The joint conference at Kansas City in 1924, composed of miners' representatives from Kansas, Missouri, and Arkansas, and the representatives of the operators who were members of the Southwestern Interstate Coal Operators' Association, followed the lead of the Jacksonville agreement, and adopted the 1923-1924 scale.

The Oklahoma operators did not sign this agreement. The contract, however, provided for general conditions for mining in all of District No. 21, including Oklahoma.²³ The miners were justified, perhaps, in the belief that the agreement made with the Southwestern Association would be accepted by the Oklahoma operators, especially since the latter had not presented objections at the Kansas City conference to the making of the contract.

The Oklahoma operators took the standpoint, however, that the union agreement with the Southwestern Association did not apply to Oklahoma. They argued that they had separated from the Southwestern Association in 1916, and since that time had made separate agreements with the miners. They insisted that they could not pay the Jacksonville wage scale, and demanded lower rates.

The United Mine Workers, District No. 21, on the other hand, argued that the Oklahoma operators were bound by the contract that the miners had made with the Southwestern Interstate Coal Operators' Association. If the Oklahoma operators were dissatisfied with the wage scale, the miners reasoned, they should have presented their grievances at Kansas City. The Southwestern Interstate agreement had always been considered the basic contract for the entire area.

In April, 1924, strikes and lockouts took place in the mines of Oklahoma operators who refused to sign the contract made at Kansas City. The operators attempted to work the mines with non-union labor, gathered from the agricultural areas of the state. During 1924-1925, production steadily declined. Although the strikers were hampered by lack of funds, disputes among their leaders, court injunctions, and the presence of the state militia

²³Interstate Agreement, May 3, 1924, pp. 34-44.

in the field, their ranks were composed of the most efficient miners in the state, and their absence from work was costly to the operators.

It is probably true that if the national officers of the United Mine Workers of America had countenanced a reduction in the wage scale for the Interstate field, that the Oklahoma miners would have accepted lower wages. They might have continued at work if the national officers had taken a more realistic view of the situation and had ordered wage reductions in the Southwest, regardless of the wage scale in other fields. The market for coal in the Southwest had been restricted more and more after 1910 by the competition from other sources of power, fuel oil, natural gas, and electricity.²⁴ Uniformity of conditions of coal production throughout the United States, the basic assumption upon which the wage scales for all union miners were made, and upon which the miners' officers acted, did not exist.

In September, 1925, District No. 21 called a strike against all non-union mines in Oklahoma. The strike was ineffective. The District was without funds, and large numbers of strikebreakers were secured by the operators.

In other regions of the Southwest, first in Texas, then in Arkansas, Kansas, and Missouri, one mine after another paid a scale of wages below that provided in the Jacksonville agreement. Non-union conditions had practically supplanted the union by 1927.

By 1928, the United Mine Workers of America had almost disappeared in the Southwest. The operators, no longer engaged in contract relations with the union, withdrew from the operators' associations. The Arkansas-Oklahoma Coal Institute, a trade association of coal operators, was organized in August, 1928. The Southwestern Interstate Coal Operators' Association turned its activities, largely, to sales promotion.

In 1931, after five years of almost complete extinction, the United Mine Workers of America began to reappear in Oklahoma. A strike at Henryetta in November and December of 1931 demanded recognition of the union and better conditions of work. The request for recognition was finally dropped, and the other demands were arbitrated. On August 2, 1932, a strike was de-

²⁴Proceedings, Thirty-Second Convention, United Mine Workers of America, Jan. 26, 1932, Vol. 1, p. 80. See also Arnold and Kemnitzer, *Petroleum in the United States and Possessions*, p. 391 ff.

clared on all mines in Oklahoma and Arkansas, 65 in all. The principal request of the miners was recognition of the union. One after another the operators signed the union contract until all but four mines in the area were operating under union conditions. In September, 1932, the Arkansas-Oklahoma Coal Institute was dissolved, and at the same time the Arkansas-Oklahoma Coal Operators' Association was organized. This new association includes practically every coal operator in the two states. Its main purpose is to enter into a joint conference with the union, and to promote contract conditions.

SOME OBSOLESCENT CONCEPTS IN SOCIOLOGY

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When less than one hundred years ago August Comte suggested a name, a program, and a method for a new science, he little knew the sins that would be committed in the name of sociology. There is so much that has masqueraded under the name in the past and which even today lays claim to sociological recognition that one almost despairs attempting any sort of an analysis of that which is valid and durable. A good index to reliability of a scientific concept is the fact that it makes a persistent appeal to the minds of men trained in scientific thought and procedure. In other words, no theory in science is of private interpretation. It must win its way to acceptance and scholarly sanction by meeting the demands of a rigorous logic and by its usefulness in explaining existing phenomena. Popular acceptance of a concept cannot validate it, even though that popularity be in supposedly scientific circles. Its validity is pragmatically determined—it must work and continue to work to escape becoming obsolescent.

It is not the purpose of this paper to attempt a constructive verification of sociological concepts. Rather, the easier task of criticising some of those which have gained a measure of recognition is chosen. After all, science must devote as much if not more energy to attempts to disprove its hypotheses as to efforts to prove them.

Social Evolution

For more than a generation, the scholastic world has been rocked by the controversies concerning the theory of evolution. It has been only in recent years that a measure of stability has been achieved. The conflict possibly had its incipency in the field of sociology or at least of social thought and it is altogether possible that the final battles may have to be waged also in this field. So compelling have been the facts which were unearthed in the realms of the organic and biological that it seemed unthinkable that the principles would not carry through to the social and be equally valid there. The leading minds of the scientific world became so obsessed with the idea that evolution was the key to unlock all mysteries, including those of social phenomena,

that it was the sheerest scientific heresy to challenge the thought. Social evolution became a catch phrase, and the students of society busied themselves for a generation in efforts to establish evolutionary series in the different groups of social phenomena.

The early students of primitive societies worked industriously upon the idea that culture complexes were uniform, gradual in growth, and progressive in nature, that the different cultures could be classified according to ascending stages of development and that these stages constituted unilateral evolutionary series. The simpler and cruder types of culture were placed at the bottom of the series and the more complex and advanced ones at the top, while in between came those which had attained a greater or lesser degree of civilization. The basic idea was that all cultures at some time have or must pass through the various stages in the series and that existing cultures could be classified according to their position in the scale.

The hypothesis involved the further idea that man had passed through certain evolutionary stages in the process of his organic development and that certain types of culture were coördinate with and the product of these organic stages; *i.e.*, when man reached a certain stage of biological development as a physical organism, he produced a culture fitted to that development.

One of the more familiar schemes of classification, which has become deeply entrenched in literature, is that of savagery, barbarism, and civilization. These major stages are in turn subdivided into upper and lower savagery, upper and lower barbarism, and upper and lower civilization. Others would divide them into upper, middle, and lower stages of savagery, barbarism, and civilization, respectively. Another scheme would make a cultural classification on the basis of food acquisition somewhat as follows: the hunting stage, the pastoral stage, the agricultural stage, the commercial and manufacturing stage. Still another would be: the stone age, the bronze age, the iron age, and the machine age. Various sub-divisions have likewise been proposed for the major divisions in each of these schemes.

Associated with this hypothesis is the theory of recapitulation. Briefly stated, this theory is that the human embryo in its development before birth recapitulates the evolutionary history of the race; while after birth the individual in turn recapitulates the social history of the race. Thus the child which exhibits those

traits which are thought to be exceedingly primitive in their nature is called a little savage. When a little later it manifests dispositions of cruelty toward its pets it is called a little barbarian and the fervent wish is expressed that it will soon outgrow these periods and become civilized.

Without passing critical judgment upon or involving this discussion in any of the aspects of organic and biological evolution, it is sufficient to state here the more recent conclusions concerning the unilateral stage theory in social evolution. The present view is that, so far as man is concerned, all organic evolution antedated the era of culture and that in the period of culture there have been no appreciable changes in the physical make-up of man. What he is today, so he was in all physical aspects at the dawn of the culture era; as he appeared on the first page of history, so is he today. The question as to whether he arrived at the opening of the culture era through a process of evolution from lower forms of life, or whether he came into being at this point through an act of creation is of little if any concern to the sociologist. Sociology begins with man as a social being and presses its investigation from the beginning of culture onward. What may lie back of that point; whence man came and by what roads he arrived can contribute little or no value to present day social theory.

The classical theory of evolution requires that in the phenomena studied development must be universal, uniform, gradual, and progressive. When the theory is applied to social phenomena and culture complexes, it is found that they do not anywhere conform to universal type, although they do have many traits in common and some striking similarities. They are not of uniform development, but have grown up along widely divergent lines and according to a variety of patterns. Also the growth of culture has been by no means gradual, but is characterized by periods of inertia and again by cataclysmic and revolutionary change. Nor can it be said that its development is in the direction of progress, for it is often found to be retrogressive according to all attempts to measure progress. Hence, no series of stages in cultural phenomena can or at least have been erected which meets the requirements of evolutionary science. Concerning this, Professor Faris aptly says:

"The stages through which society has everywhere passed, formulated again and again and correlated with economic organization, familiar schemes, moral concepts, religious views and practices, all these have been regretfully abandoned under the strain of accumulated facts which have revealed exceptions, anomalies, and lacunae too serious for the theory to incorporate."¹

Hence, it seems necessary to include in our list of obsolescent concepts in sociology, or insofar as sociology is concerned, the once very highly honored concept of social evolution, since social development cannot be correlated with any organic development and since it is not possible to establish any schemes of development within social phenomena itself which can justly be called evolutionary. The substitute concept of social change, which involves no pre-commitments as to stages, rates, universality, or directions of the change, seems of much greater merit and to be gaining in scientific recognition. It does involve the fundamental principle of social processes in that it gives full recognition that the present is rooted in the past, that today is the child of yesterday and the parent of tomorrow; but it does not require the establishment of any artificial schemes that permit of universal application.

Along with the theory must go a number of minor concepts which are rooted in it. Among these is social progress. Seemingly, we have only recently discovered that progress is not a scientific concept at all, but rather belongs in the realm of religion or philosophy and is a dictum of faith rather than knowledge. It is not something which men can measure and chart by any infallible criteria; but is rather something in which they believe, because it is what they desire. Herbert Spencer's theory of society as a social organism has long ago become entirely obsolete. Like other concepts based upon reasoning from biological analogies, it had to go in the discard. The social physics, social mechanics, and social dynamics of Ward and Spencer are almost unknown outside of their works; while Ward's social Telesis, although seemingly a worthy abstraction, has in it little of practical value and is not a workable tool for modern sociology.

Social Reform

The writer was recently introduced to a civic club by a public spirited citizen who had studied sociology in his college days in

¹Mathews, *Contributions of Science to Religion*, p. 217.

the Southwest. He stated that in his conception a sociologist was one who studied and was interested in human welfare and that the writer as the speaker of the day would now proceed to tell them how to cure the ills of our existing social order. On another occasion, when in response to a question the writer stated that he was a teacher of sociology, a prominent banker responded: "Oh, yes, that is the teaching of philanthropy, is it not?" We are all familiar with the incident in which a member of the Texas Legislature protested the appropriation of an item in the budget of the State University for the teaching of sociology on the ground that it was the teaching of socialism.

Sociologists themselves are responsible for this erroneous popular conception of sociology. Quite frequently, it has been the view held by those who occupied the teaching positions in the colleges and who have been depended upon to impart sociological information. Perhaps one of the greatest enemies to a true conception has been the teacher who himself conceived and imparted to his students the idea that the major task of sociology is to study and remedy the pathological phases of society and that its chief mode of diversion and entertainment is found in slumming expeditions. Rarely, if ever, is there any genuine scientific value to be derived from conducting a party of students through a section of the city or a public institution where the unfortunates of society are housed. Scientific research does not spring from a mere morbid curiosity to see how the other half lives; nor is it achieved by casual parties bent on a pleasure jaunt.

Many of the introductory texts, particularly the older ones, give emphasis in their titles and subject matter to the conception of sociology as the study of social problems. A problem in the sense in which it is thus used seems to have reference to some abnormal social condition which in the opinion of the writer needs remedying; a situation which is the occasion of grave apprehension for the future. The result of such teaching can be only a fear-psychosis on the part of the student toward society which adds impetus to such movements as the Ku Klux Klan. The Klan was a movement born of popular apprehensions and fears regarding the future safety of society and possibly the type of sociology taught a generation ago made no mean contribution to this apprehension.

Possibly the somewhat artificial division of sociology into pure and applied sociology, illustrated in Ward's texts under these titles twenty-five years ago, had much to do with the development of

the social reform concept in sociology. The abstract theory was and is perhaps logical; but sociologists failed to realize that a sound applied sociology must wait on the development of a sound theoretical sociology, and hence, rushed into attempts to apply casual and hasty generalizations to social situations. Having little theory of their own, they snatched up the plausible proposed remedies of other fields and sought to incorporate them into a philosophy of human welfare. Hence, in many quarters sociology was little more than a hodge-podge of theories extracted from the fields of Social Work, Biology, particularly in its Eugenic aspects, Social Theology, and Economics. Such subjects as Poverty and Dependency, Crime and its Punishment, Population Growth and Decline, Inter and Intra-Migration Movements, Housing and Sanitary Conditions, and many others of similar nature and import gained an ascendancy in the field of sociological teaching and practice, not as areas of research, but as fields calling for social reform in the general interest of human betterment.

However desirable social reform and social betterment may be, it is not the task of sociology to secure it. It is the duty of sociology to understand society, not to change it; to discover the fundamental laws of social relations and to give to the world by means of its rigorous application of the scientific method to social phenomena the principles upon which sane and wholesome reform movements may be inaugurated, and with that it should be content. It is just this feeling that the scientific attitude requires the true sociologist to be free from the spirit of propaganda essential to all effective reforms that is relegating the concept of social reform out of sociology into the fields where it belongs.

Social Forces

The human mind has long sought for some all-inclusive causative principle of the explanation of human behavior. Sociologists took up the quest under the false lead of some of the early physical sciences and sought to reduce social phenomena to a few basic elements which would furnish a working tool of analysis for all phenomena.

Quite early in its history, sociology borrowed the theory of instincts from biology and psychology. The theory caught popular imagination and became dominant in all the social sciences. Not until about ten years ago did sociologists themselves begin to

suspect that this theory was based upon metaphysical speculations and assumptions rather than upon established data of scientific research. The instincts were regarded as ancestral habits inherited from a long line of stages of pre-human existence; and so rooted in the concept of evolution was the theory that scholarly men hesitated to challenge it, lest they lose caste in scientific circles. It was not until sociologists recognized the possibility of there being a biological evolution and not a corresponding social evolution, that the former could be accepted and the latter rejected, that there was freedom to call in question the existence of instincts in the human, or, if they did exist, the usability of the concept in the explanation of social life. When this freedom was gained, *i.e.*, when the social pressure of a dominant theory was slackened, the doctrine of the instincts was seen in a new light, abundant and conclusive criticisms of the concept as a tool of sociological explanation were forthcoming. It would be difficult now to find a progressive sociologist who holds the same view of instincts as that generally held fifteen years ago. It does not follow that sociologists deny the existence of instincts in the human; but merely that they have ceased affirming that existence and depending upon the concept as a tool of sociological explanation.

One of the early concepts in American Sociology, which perhaps was in fact, though not so intended as a substitute for the theory of instincts, was the theory of the interests formulated by Albion W. Small and based upon the previous work of Ratzenhofer. It was another effort to reduce to the lowest common denominator the motivating forces of all mankind and to erect thereon an entire system of sociology. The six interests, health, wealth, sociability, knowledge, rightness, and beauty became for a time exceedingly popular in sociological circles. They afforded an excellent outline for chapel talks, commencement addresses, after-dinner speeches of a sort, and were even plagiarized by ministers for sermon material. So popular became the theory that we still hear frequent echoes of it in other fields which have not yet discovered its abandonment by sociology.

The interests were short lived, because another and somewhat more compelling concept came on the field and usurped their popularity. Not satisfied with the number of six, W. I. Thomas formulated the view of the wishes which rather quickly shoved the theory of the interests into the background. He reduced human behavior to four fundamental, universal, inclusive and exclusive

concepts, or the Four Wishes, the desire for security, the desire for new experience, the desire for recognition, and the desire for response. Ellsworth Faris, Thomas' successor at Chicago, has sought, with little success, to work out a revision in which he recognizes: "(1) the segmental wishes, such as appetites and cravings (*i.e.*, hunger and thirst); (2) the social wishes, which include (a) the desire for response, (b) the desire for recognition, (c) the desire for participation (*i.e.*, the wish to be attached to or identified with a cause, a movement, something larger than oneself); (3) the derived wishes for new experience (developed from the effects of monotony and routine) and for security (arising from the undermining effects of crises)."²

Curiously enough, Faris classifies as derived wishes one group over against the social wishes and the segmental wishes, which would indicate that in his thinking the two latter classes are not derived, but inborn and innate, which would seem rather inconsistent with his well-known position on the instincts. He adds the physical appetites and cravings, which are disregarded by Thomas's classification, rearranges the other four and adds a fifth, the desire for participation, which has not been established as being universal to mankind.

Possibly, the same difficulty exists with reference to any classification of this sort as exists with reference to the instincts; they may be only hypotheses and not data. Possibly, we shall recognize shortly that the interests and the wishes are only different names for what was once honored under the name of instincts; that at best they are metaphysical assumptions, and subjective interpretations of human behavior. Just as John Dewey startled some of the scholars when he took the position that there are no instincts, but only instinct; it may be that some trenchant may demonstrate that there are no wishes, but only wish; that the wishes are not plural, but singular. However, not in the Freudian sense, but in the sense of life, whatever that is.

A little sarcasm from Sorokin may not be amiss here. He says: "Each author fills a man with a certain number of desires, interests, wishes, sentiments, and emotions. Furthermore, he takes a man's behavior and explains it in a very simple manner. Man performs a series of sexual activities because he has the 'sex desire', 'sex-wish', or 'reproductive interest'. Man goes into court and sues another man because he has the 'desire, or the wish, or

²Krueger and Reckless, *Social Psychology*, p. 175.

the interest' of rightness. And so on. The wishes, the desires, the interests, and the sentiments here play the same role which in primitive animistic theories is played by various 'spirits' or supernatural agencies. The explanations are a replica of Moliere's famous sarcasm: 'Opium makes a man sleepy because it has a sleeping power.' Like a prestidigitator, the authors betimes put into a manbag a series of wishes and desires, and after that, with a serious expression, they take out of the bag one or several of the desires and wishes, according to the circumstances, and convincingly add: 'This agency is responsible for the actions or events studied.' This procedure is certainly easy, but one may seriously doubt whether it has any cognitive value."³

It may be that we shall find, as the physical sciences have found, that the quest for one or several all-inclusive forces in social phenomena is fruitless and vain and that we will do well to divert our energies and spend our time in the examination of the more objective types of social phenomena.

Primary and Secondary Groups

A concept, which seems to the writer to have in it elements of weakness which are now coming to light, is the very popular concept which is known under the terms primary and secondary groups. Cooley seemed to have first popularized the idea of primary groups, while Park, seemingly unintentionally and incidentally, originated the term secondary groups. It is not necessary here, nor does space permit an extensive analysis of these concepts. They are not yet obsolescent in sociology, but there are those who are coming to doubt the validity of the terms at least and a better and less cumbersome analysis is almost certain to supersede them within a few years.

In the first place, the terms are not happy ones. They may and do connote first and second place in point of time and in point of importance. The so-called primary groups can be said to be first in time only in that they are the groups with which the developing child makes its first social contacts. They cannot be attributed to primitive societies in the same sense as they are to recent, pioneer and modern society. As to the question of importance: it cannot be said that one of the groups is more important than the other in the total life of the individual. Whatever is more important,

³*Contemporary Sociological Theories*, pp. 646-647.

must be more important for some specific thing or purpose. All depends upon the point of view. To regard any one thing as more important than another in sociology, involves a pre-commitment to a theory, an ideal, a philosophy of social good and of social welfare.

In the second place, the terms primary and secondary are not coördinate in the meaning in which they are used. Cooley's idea was based upon the importance of the primary groups in the development of the personality, or the social self, of the child and in their importance as agencies in the transmission of culture forms and patterns. Park's idea of secondary groups is in terms of the nature and types of social contacts which are involved and requires a restatement of the primary group concept in terms which correspond. According to Cooley, the primary group is characterized by intimacy, sympathy, coöperation, face-to-faceness, and mutual identification. According to Park and Burgess, it is all this plus many contacts of the same people at many points in their lives.

The chief difficulty here lies in the fact that in many of the so-called secondary relations all of the characteristics of the primary group according to Cooley are to be found; while, on the other hand, the "many contacts of the same people with each other at many points," according to Park and Burgess, produces anything else than intimacy, sympathy, coöperation, and mutual identification, even though, alas, it is face-to-face.

In the third place, those groups which have generally been recognized as primary, the family, the play group, and the neighborhood, are changing so rapidly under modern social conditions that we are compelled to speak of the old type of family, or neighborhood, or play group in discussing the concept. The family is in many quarters not at all the primary group as described by Cooley, but is rather secondary in its nature. Modern play groups may perform the function assigned to them by Cooley, but they are lacking in the characteristics. The neighborhood, except in the most elementary geographic sense, is passing in highly urbanized societies. Social groupings are less and less made on the basis of geographic contiguity, and more and more made upon the basis of mutual likes and dislikes. The old types of family, play groups, and neighborhoods are all being changed under the influence of urbanization, whatever that may be; and this change is

demanding a reconstruction of our sociological theory and analysis of this concept which has played so important a part in social thought in recent years.

As to the concept of secondary groups. Who knows just what it means? What does it include and what does it exclude? When Park introduced the term, he seemed to be struggling with the thought of the primary groups and simply named all those which he did not regard as primary, the secondary groups. It would have been better to have just coined the classification primary and non-primary. We would have been saved a lot of distinction without a difference.

When the halo of this concept has become somewhat dimmed, it may be that we can see clearly enough to work out one along more rational lines that will serve as a genuine tool of real sociological explanation.

TWO TRIALS OF OKLAHOMA'S RUN-OFF PRIMARY*

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The Republicans had for the most part dominated Oklahoma politics, especially, in the Oklahoma Territory prior to statehood. For making nominations for public office, they had used the convention system, which had become very unpopular; particularly so, at the time for the election of delegates to the Constitutional Convention November 6, 1906.

The union of Oklahoma and the Indian Territories in 1906 made the electorate Democratic by about 35,000. The sociological carry-over of the migrations from Texas, Arkansas and other southern states had by that time over-come that from Kansas and other northern states.

In the campaign for the election of delegates to the Constitutional Convention, the Democrats won one hundred out of the one hundred and twelve seats. Most of the Democratic delegates had, among other things, pledged themselves to the enactment of a direct primary system.

Thus the Constitution of Oklahoma provides that "The Legislature shall enact laws providing for a mandatory primary system, which shall provide for the nomination of all candidates in all elections of State, district, county, and municipal officers,¹ for all political parties, including United States senators: Provided, however, this provision shall not exclude the right of the people to place on the ballot by petition any non-partisan candidate."²

The first state legislature, which was Democratic, enacted a direct primary system that provided for a single primary at which time all parties shall make nominations "for the various national, state, district, county and township offices . . . ; provided, that this provision shall not exclude the right of non-partisan candidates to have their names printed upon such official ballots as hereinafter provided for."³

*This article is a by-product of a study in Oklahoma politics under a grant from the Faculty Research Fund, University of Oklahoma.

¹The charter or home-rule cities are exempted from this provision. *State v. Callahan*, 96 Okla. 276, 221 P. 718 (1923).

²*Constitution*, Art. III, Sec. 5.

³C. O. S. 1931, Sec. 5754. Several minor changes have been made since the enactment of the first primary laws.

The courts of the state regard the direct primary as one of the fundamentals of Oklahoma democracy. In a case upholding an aspect of it, a chief justice of the supreme court said:

It is a part of the political history of Oklahoma that a very large majority of the membership to the Constitutional Convention was elected on the promise to assist in writing into the Constitution of the State a provision whereby the electors of the respective political parties would be given the right and privilege of balloting on candidates who offered themselves for the nominations by political parties to the various political offices.⁴

However, there has been much dissatisfaction with the results of the direct primary system. The heterogeneous composition of the electorate is of course an additional ill to its operation.⁵ Dissatisfaction became so strong that in 1921 a committee appointed by the Democratic State Central Committee submitted at a meeting of the latter a plan for a "statewide conference" to select the party candidates.⁶ Nevertheless, the opposition to this plan was so great that it was not adopted.

The nomination and election of Jack Walton for Governor again raised much criticism of the primary system. And, moreover, his impeachment and removal from office gave it more attention, because it was thought that extreme factionalism in politics was being nurtured by the single primary.

Hence in 1925 the legislature sought to remove a major element for the cause of factionalism by the enactment of a preferential voting primary law.⁷ It provided, in effect, that in order for a voter to have his vote counted, he must designate his first and second choice of candidates, where there are as many as three or four candidates for the same office; and to designate his first, second, and third choices, where there are more than four candi-

⁴Chief Justice E. F. Lester, *Dancy v. Peebly*, 132 Okla. 84, 270 P. 311 (1928).

⁵There is a block of about thirty-five counties in the southeastern and extreme southern parts of the state whose electorate is possessed with virtually every ill that a democracy seeks to avoid. It is these counties, because of the preponderance of the Democratic vote, that nominate nearly every candidate for a state-wide office, and who is in nearly every case the rabble-rouser. These so-called Bourbon counties also dominate the Democratic majority in the legislature and through seniority hold nearly all the important committee chairmanships.

⁶Blachly, F. F., and Oatman, M. E., *The Government of Oklahoma*, p. 265 (Oklahoma City, 1924).

⁷*Oklahoma Session Laws*, Chapter 29, 1925.

dates for the same office; and that, "unless he shall so designate, his ballot for his own choice *shall not be counted.*"⁸ No election was ever held under this law because of its unconstitutionality in which the court held that "unless you vote for one or two who are not your choice, then the vote of the one or two who is your choice shall not be counted."⁹

The impeachment of Governor Henry S. Johnston in 1929 largely caused the legislature to pass the run-off primary law,¹⁰ which applies to all elective offices in the state subject to legislative control except cities and towns organized under general state laws.¹¹ It provides that:

If at any such regular primary election no candidate for the nomination for office of any political party receives a majority of all the votes cast for all candidates of such party for said office, no candidate shall be nominated by said party for said office, but the two candidates receiving the highest number of votes at said election shall be placed on the official ballot as candidates for such nomination at a second primary election to be called "the runoff primary election."¹²

The two primaries are held on the first and fourth Tuesdays in July of the even numbered years, and the offices subject to them are the national, state, district, county, and township.

The constitutionality of the run-off primary was challenged in the courts just before the 1930 primary elections. In upholding it, the state supreme court said in part:

The legislature is commanded by the Constitution to provide the primary election for the nomination of candidates for political parties, and it was a forward step when it provided that each candidate who goes on the ballot as a candidate of his party should receive a majority of the votes of that party at an election held for that purpose before he should be declared the nominee of that party.¹³

Oklahoma has held two run-off primary elections since the enactment of the 1929 law. The following tables contain an

⁸Italics mine. S. L. 1925, Ch. 29, Sec. 5.

⁹*Dove v. Oglesby*, 114 Okla. 144, 244 P. 798 (1926).

¹⁰C. O. S. 1931, Sec. 5758; S. L. 1929, Ch. 241, Sec. 2.

¹¹The legislature in 1931 amended the run-off primary law to apply to the cities and towns organized under general state laws that have a population of 5000 or more according to the 1930 census. C. O. S. 1931, Sec. 6026; S. L. 1931, Ch. 33, Art. 2, Sec. 1.

¹²C. O. S. 1931, Sec. 5758.

¹³*Kerr v. Luttrell*, 143 Okla. 275, 288 P. 958 (1930).

analysis of the two primaries, 1930 and 1932, for national, state, district, and county offices.¹⁴ And, moreover, for only the Democratic and Republican parties since the Socialist party has not had a legal status in the state for several years.

Table I points out that there were 22 of the 32 state and national offices which required a run-off election. The high candidates in the first primary won 18 of the 22 run-off contests or 81 per cent. Of the 4 offices, which the second high candidates in the first won the nominations in the second contest, 2 of them were subject to all the Democratic voters of the state; namely, the clerk of the state supreme court and the chief mine inspector—offices of no importance to the public mind; the other 2 were district nominations for an assistant mine inspector, which is also insignificant to the average voter, and for a justiceship on the state supreme court, an office for which there are other methods of selection much better than the present.¹⁶ In none of these 4 offices did the vote differ very much between the two highest candidates in the first primary, except that for clerk of the supreme court in which case the high candidate was a woman.¹⁷

Of those contests which were settled in the first primary, there were two congressional seats and a justiceship on the criminal court of appeals which had unopposed candidates; two offices, one a congressional and the other the commissioner of labor for which there were 4 and 5 candidates, respectively, but in each instance one of them received a majority of all votes in the first primary; and five offices for which there were only two candidates each.

In each contest in the run-off save one,¹⁸ the total vote cast was greater than in the first primary which ranged for state-wide nominations from 1.3 per cent for chief mine inspector to 11 per

¹⁴No attempt was made to study the nominations for offices of the justices of the peace, township offices, and municipal offices of cities and towns organized under the general laws of the state.

¹⁶The 9 members of the state supreme court; the 3 members of the criminal court of appeals; and the 4 assistant mine inspectors are nominated by districts and elected by the State at large. In case of the two former offices, one-third of them are elected every two years.

¹⁷The Democrats of the state hold an adverse attitude to women candidates. In the above case, the woman, Jessie Elizabeth Moore made the mistake of retaining her middle name, "Elizabeth," in her name on the ballot because her male opponent who was about 25,000 votes behind her in the first primary barely defeated her in the run-off.

¹⁸This instance pertains to the eighth congressional district which is strongly Republican.

TABLE I¹⁵

Democratic Candidates for National and Major State Offices, 1930

Office	Number of Candidates	Wins in 1st Primary with 3 or more Candidates	Candidate Wins		Total Vote in 1st Primary	Total Vote in 2d Primary	Increase or (—) Decrease	
			1st High	2d High			Number	Approx. Per cent
United States Senator	10	—	x	—	283,331	307,930	24,608	9
Congressman								
1st District	4	—	x	—	33,079	34,780	1,701	5
2nd District	2	—	—	—	25,668	—	—	—
3rd District	4	x	—	—	46,749	—	—	—
4th District	2	—	—	—	40,772	—	—	—
5th District	5	—	x	—	45,728	50,185	4,357	9
6th District	1	—	—	—	—	—	—	—
7th District	1	—	—	—	—	—	—	—
8th District	3	—	x	—	14,171	13,304	—873	—5.5
Governor	9	—	x	—	340,702	346,088	5,386	1.5
Lt. Governor	14	—	x	—	250,127	288,371	38,244	11
Secretary of State	4	—	x	—	255,897	269,219	13,322	4.8
State Auditor	7	—	x	—	244,218	257,287	12,969	4.8
Attorney General	2	—	—	—	247,041	—	—	—
Treasurer	6	—	x	—	243,701	259,808	16,107	6.5
Supt. of Public Instruction	2	—	—	—	243,941	—	—	—
State Examiner and Inspector	7	—	x	—	225,399	247,594	22,195	8.9
Commissioner of Labor	5	x	—	—	224,593	—	—	—
Commissioner of Charities and Corrections	14	—	x	—	257,463	280,827	23,354	8.9
Commissioner of Insurance	7	—	x	—	218,007	251,813	33,808	10
Pres. of Board of Agriculture	6	—	x	—	242,891	270,225	27,334	10
Corporation Commissioner	6	—	x	—	228,431	243,170	14,639	5.7
Clerk of Supreme Court	5	—	—	x	218,083	243,057	24,974	11
Chief Mine Inspector	9	—	—	x	216,673	221,247	4,564	1.3
Assitant Mine Inspector								
1st District	3	—	x	—	49,638	55,372	5,734	10
2nd District	3	—	x	—	65,577	81,159	15,582	23
3rd District	4	—	x	—	66,982	70,970	4,038	6
4th District	5	—	—	x	5,062	5,463	401	8
Justice of Supreme Court								
1st District	3	—	x	—	22,260	23,495	1,235	4.5
6th District	3	—	—	x	27,674	29,282	1,608	3.6
9th District	2	—	—	—	23,589	—	—	—
Justice of Criminal Court of Appeals	1	—	—	—	—	—	—	—
TOTAL	162	2	18	4				
32 offices	Av. 5.3							Av. 7.3

¹⁵The data in these tables for the national and state offices were obtained from the state election board; the *Directory of the State of Oklahoma* issued by the state election board; and the *1931 Oklahoma Almanac* (Oklahoma City). For the county offices, from the files of local newspapers at the State Historical Society, Oklahoma City, Oklahoma.

cent for lieutenant governor and for district nominations from 3.6 per cent for one assistant mine inspector to 23 per cent for another one. The total average for all the offices was 7.3 per cent. The total number of candidates was 162 or an average of 5.3 for each office.

The rank of offices for which the state at large makes nominations in order of the total vote cast in the first primary were: (1) governor, 340,702; (2) United States senator, 283,331; (3) commissioner of charities and corrections, 257,463; (4) secretary of state, 255,897; (5) lieutenant governor, 250,127; (6) attorney general, 247,041; (7) state auditor, 244,218; (8) superintendent of public instruction, 243,941; (9) treasurer, 243,701; (10) president of the board of agriculture, 242,891; (11) corporation commissioner, 228,431; (12) state examiner and inspector, 225,399; (13) commissioner of labor, 224,593; (14) clerk of the supreme court, 218,083; (15) commissioner of insurance, 218,007; and (16) chief mine inspector, 216,673. The difference between the highest and lowest of these totals is 124,029 or 36 per cent. Thus the governorship attracts more votes than any other office even exceeding the United States senatorship by 56,341 or 16 per cent.

The rank of offices in order of the total vote cast for them in the second primary made a few changes. The office of president of board of agriculture moved up from tenth place among sixteen offices in the first primary to fifth place among thirteen in the run-off, while the corporation commissioner dropped from the eleventh place among sixteen to eleventh place among thirteen in the second primary. The difference between the highest place, the governor, and the lowest place, the chief mine inspector, in the total vote cast for each of them is 124,841 or 36 per cent—the same as that in the first primary. For the other offices, the difference in the total vote cast for them remain proportionate to that of the first primary.

The table below gives only those offices of the nation and the state for which the Republicans had a run-off election in 1930.

Table II shows quite obviously that the Republicans had little need for a run-off primary. In a total of 32 offices, there were only 6 of them or 19 per cent which required a second primary, and, moreover, they were offices that seldom attract public attention. Of these 6, the high candidates in the first primary won 4 of them and in the other two the races were very close in both elections. Furthermore the table points out that the total vote

TABLE II

Republican Candidates for National and Major State Offices, 1930

Office	Number of Candidates	Wins in 1st Primary with 3 or more Candidates	Candidate Wins		Total Vote in 1st Primary	Total Vote in 2d Primary	Increase or (—) Decrease	
			1st High	2d High			Number	Approx. Per cent
Lt. Governor	9	—	x	—	67,831	49,653	-18,178	-26.5
Secretary of State	3	—	x	—	62,982	45,549	-17,433	-27
Commissioner of Charities and Corrections	3	—	—	x	60,032	45,179	-14,853	-23
Commissioner of Insurance	3	—	x	—	60,423	45,180	-15,242	-25
Corporation Commissioner	3	—	x	—	59,443	46,102	-13,341	-22
Justice of Supreme Court	3	—	—	x	9,262	6,386	-2,876	-22
1st District	3	—	—	x	9,262	6,386	-2,876	-22
TOTAL	24	0	4	2				
	Av.4							

for each office in the run-off dropped from 22 to 26.5 per cent of that in the first primary.

There were three offices; namely, governor, United States senator, and a congressional, which had three candidates each but did not need a run-off; eight which had only two candidates each; and the remaining fifteen had unopposed candidates.

The table below shows the number of Democratic and Republican candidates for the state senate and the results for 1930.

TABLE III

Candidates for State Senators, 1930¹⁰

Party	Number of Candidates	Number of Candidates Grouped According to Filing for Seats					Wins With 3 or More Candidates in First Primary	Candidate Wins		Vote for Senatorships in the Run-off	
		1	2	3	4	5		1st High	2d High	In-creased	De-creased
Dem.	48	4	12	5	0	1	0	6	0	6	0
	Av. 2.1										
Rep.	28	16	6	0	0	0	0	0	0	0	0
	Av. 1.2										

¹⁰There are 44 state senators elected from 34 districts. One half of them are elected every two years, serving for a term of four years. Hence 22 districts choose senators every two years unless vacancies occur.

The Republican voters gave the governorship the most attention. The rank of the other offices in order of the total vote cast in the primaries was very similar to the Democratic ranking. The Republicans normally poll a very small vote in the primary elections which is about 25 to 35 per cent of what they receive in the general elections.

Table III shows that the Democrats had need for only 6 run-off contests from among the 22 state senatorships and in each instance the high candidate in the first primary won the nomination in the second primary. There were 48 candidates for the Democratic nominations or an average of 2.1 candidates for each district. The Republicans had no need for it whatsoever.

The necessity of the run-off primary for the district judgeships is shown in the table below.

TABLE IV
Candidates for District Judges, 1930

Party	Number of Candidates	Number of Candidates Grouped According to Filings for Judgeships						Wins With 3 or More Candidates in First Primary	Candidate Wins		Vote for Judgeships in the Run-off	
		1	2	3	4	5	None		1st High	2d High	In-creased	De-creased
Dem.	84	17	19	5	6	0	1	3	5	3	6	2
	Av. 1.7											
Rep.	40	18	11	0	0	0	19	0	0	0	0	0
	Av. 1.3											

*The state has 30 districts, though they are numbered from 1 to 31, with the 29th district non-existing. A number of the districts have several judges, who are usually nominated by districts within the entire judicial district; and, furthermore, if there are more than one judgeship within a nominating district, the candidates file for "district judge, office No. 1," 2, etc. All district judges are elected by the voters of the entire district. There are 19 single member districts; 15 single member nominating districts within judicial districts; and 14 offices within certain nominating districts. A total of 48 judgeships for the entire state.

Table IV shows that the Democrats had a run-off contest for 8 of the 48 judgeships. Of these 8, the high candidates in the first primary won 5 of them. A small number of candidates filed for them in comparison to the other state offices that pay much less. There was no opposition for 17 judgeships; only two candidates filed for 19; three candidates for 5; four candidates for 6; and none for one of the judgeships. A total number of 84 candidates filed or an average of 1.7 for each judgeship.

The Republicans did not have any need for a second primary at all. Only 40 candidates filed for the 29 judgeships which are in

areas that give them some promise of an election. The remaining 19 judgeships had no candidates.

Table V points out that the run-off primary affected few of the contests for House nominations. The Democrats had 248 candidates who filed for the 97 seats or an average of 2.4 candidates for each seat. Of these 97 contests only 31 required a second primary, and of which the high candidates in the first primary won

TABLE V

Candidates for State Representatives, 1930

Party	Number of Candidates	Number of Candidates Grouped According to Filings for Seats ^a								Wins With 3 or More Candidates in First Primary	Candidate Wins		Vote for House Seats in the Run-off	
		1	2	3	4	5	6	7	None		1st High	2d High	In-creased	De-creased
Dem. —	248	18	40	22	6	7	3	1	0	8	21	10	27	4
	Av. 2.4													
Rep. —	87	65	16	5	1	0	0	0	10	1	5	0	4	1
	Av. .9													

^aThe Oklahoma constitution provides for a flexible method of determining the total membership in the House by a system of "ratios." The total membership varies slightly for each session as it is fixed by law in a decennial apportionment act. For 1930, it was 97.

21 of the nominations. In most of the 10 contests, which the second high candidates in first primary won, the contestants ran very closely in both elections. The run-off vote increased from 10 to 25 per cent in 27 of the 31 contests. In the remaining cases, the decreased vote did not go beyond 10 per cent.

The Republicans had only 5 run-off contests resulting from the candidacies for 87 of the 97 seats for which at least one candidate had filed. The high candidates in the first primary won all the run-off nominations. Instead of the vote increasing as it usually does in the Democratic contests, it decreased from 8 to 45 per cent in 4 of the 5 run-off contests; and in the fifth, it increased only about 5 per cent. All of these contests were in Republican counties. For the 87 seats, there was an average of 1.3 candidates.

The 1932 run-off primary results of the national and major state offices are very similar to those for 1930. The Democrats had 9 run-offs resulting from the 16 offices voted on in the first primary. The high candidates in the first primary won 8 of them in the second contest, and for the ninth, a district nomination for

TABLE VI

Democratic Candidates for National and Major State Offices, 1932

Office	Number of Candidates	Wins in 1st Primary with 3 or More Candidates	Candidate Wins		Total Vote in 1st Primary	Total Vote in 2d Primary	Increase or (—) Decrease	
			1st High	2d High			Number	Approx. Per cent
United States Senator	7	—	x	—	365,803	412,646	46,843	12
Congressman at Large	25	—	x	—	346,847	429,776	72,929	20
Congressman 1st District	5	x	—	—	45,364	—	—	—
2nd District	3	—	x	—	41,219	49,611	8,392	19
3rd District	5	x	—	—	65,780	—	—	—
4th District	4	—	x	—	40,829	65,256	24,427	60
5th District	8	—	x ^a	—	51,438	62,325	10,887	19
6th District	3	x	—	—	34,866	—	—	—
7th District	6	—	x ^b	—	46,073	50,820	4,747	9
8th District	3	x	—	—	20,474	—	—	—
Corporation Commissioner	15	—	x	—	342,766	434,350	91,534	26.6
Judge of Criminal Court of Appeals	2	—	—	—	111,934	—	—	—
Justice of Supreme Court	—	—	—	—	—	—	—	—
1st District ^c	4	—	x	—	28,829	35,131	6,302	21.4
2nd District	2	—	—	—	22,230	—	—	—
5th District	3	—	—	x	49,569	63,096	13,427	26.5
8th District	3	x	—	—	49,626	—	—	—
TOTAL	98	5	8	1	—	—	—	—
16 offices	Av. 6.1	—	—	—	—	—	—	—

^aThe incumbent who was the high candidate in the first primary won after a recount of the run-off vote in two counties.

^bThe second high candidate in the first primary withdrew from the run-off but, however, too late to get his name off of the ballot.

^cThe race was made to fill a vacancy in question which is now before the state supreme court.

a justiceship on the supreme court, there was a very close race between three contestants in the first primary. There were 5 contests, which had three or more candidates each in the first primary, that did not require a second election. The number of candidates for each office was relatively low except for congressman at large and corporation commissioner. The average for the 16 offices was 6.1 candidates. The run-off vote increased very substantially ranging from 9 to 60 per cent despite the fact that only one change was made.

An analysis of Table VII demonstrates that the Republicans in the 1932 run-off primary made no changes except one which was a close race for a congressional nomination in a doubtful district. There were 5 run-off contests and the vote in four of

TABLE VII
Republican Candidates for National and Major State Offices, 1932

Office	Number of Candidates	Wins 1st Primary with 3 or More Candidates	Candidate Wins		Total Vote in 1st Primary	Total Vote in 2d Primary	Increase or (—) Decrease	
			1st High	2d High			Number	Approx. Per cent
United States Senator	5	—	x	—	74,686	71,283	—3,403	—4
Congressman at Large	6	—	x	—	67,628	66,277	—1,351	—1.9
Congressman 1st District	3	—	—	x	18,178	18,360	182	1
2nd District	1	—	—	—	—	—	—	—
3rd District	2	—	—	—	1,905	—	—	—
4th District	1	—	—	—	—	—	—	—
5th District	4	—	x	—	9,246	—	—	—
6th District	1	—	—	—	—	—	—	—
7th District	1	—	—	—	—	—	—	—
8th District	2	—	—	—	20,661	—	—	—
Judge of Criminal Court of Appeals	1	—	—	—	—	—	—	—
Corporation Commissioner	6	—	x	—	68,100	67,706	—394	—5
Justice of Supreme Court	—	—	—	—	—	—	—	—
1st District	2	—	—	—	8,333	—	—	—
2nd District	2	—	—	—	1,797	—	—	—
5th District	2	—	—	—	1,163	—	—	—
8th District	3	x	—	—	1,631	—	—	—
TOTAL	42	1	4	1	—	—	—	—
16 offices	Av. 2.6	—	—	—	—	—	—	—

^aThe second highest candidate in the first primary withdrew before the run-off election.

them decreased from .5 to 4 per cent. For the 16 offices, 42 candidates filed or an average of 2.6. There were unopposed candidates for 5 of the 16 offices.

TABLE VIII
Candidates for State Senators, 1932

[illegible]

The 1932 run-off primary for state senators brought about no changes that would warrant the continuation of it. For the Democrats, there were only 7 contests, of which 6 were won by the high candidates in the first primary; and the seventh was an unusual one because the Governor had taken a personal interest in it. There were only 10 districts that had three or more candidates in each of them (Table VIII, col. 3). The total number of candidates was very low, only 60 or an average of 2.7. The run-off vote increased in 6 of the 7 districts from 10 to 19 per cent, and in the remaining one which is strongly Republican it decreased about 14 per cent.

The Republicans had no run-off contests at all. There were 28 candidates for 20 of the 22 senatorships or an average of 1.4.

TABLE IX
Candidates for State Representatives, 1932

Party	Number of Candidates	Number of Candidates Grouped According to Filings for Seats ^a									Wins With 3 or More Candidates in First Primary	Candidate Wins		Vote for House Seats in the Run-off	
		1	2	3	4	5	6	7	8	None		1st High	2d High	In-creased	De-creased
Dem.	372 Av. 3.1	16	27	37	19	9	3	4	3	0	15	14	19	56	4
Rep.	160 Av. 1.4	74	22	9	2	0	1	0	0	10	4	7	1	5	3

^aUnder the new (1931) apportionment act 118 seats were allotted for the legislative session beginning January, 1933. See also *Supra*, Table V, note (a).

Table IX shows the results of the 1932 run-off primary for state representatives. There were 118 seats to be filled. For the Democrats 372 candidates filed or an average of 3.1 for each seat. There were 75 seats for which three or more candidates filed including 37 that had only three contestants each. There were, however, only 60 run-off contests or a little over 50 per cent of all the seats. Of these 60 the high candidates in the first primary won 49 of them in the second primary or 81 per cent, and of the remaining 19 there were close contests for 7 of them. In several instances, there is no doubt that the Governor's own slate of candidates for the House of Representatives where he was personally strong, affected run-off contests which might have otherwise gone to the high candidates in the first primary. The run-off vote increased

TABLE X
Democratic Candidates for County Offices, 1930
(For only 27 counties)*

Office ^b	Number of Candidates	Av. Number	Number of Candidates Grouped According to Filings for Each Office												Wins with 3 or More Candidates in 1st Primary	Candidate Wins	
																1st High	2d High
			1	2	3	4	5	6	7	8	9	10	11	12			
Judge	42	1.5	17	7	3	0	1	0	0	0	0	0	0	0	1	2	0
Attorney	45	1.6	12	13	1	0	0	0	0	0	0	0	0	0	1	1	0
Court Clerk	40	1.4	17	7	3	0	0	0	0	0	0	0	0	0	1	3	0
County Clerk	47	1.7	11	12	4	0	0	0	0	0	0	0	0	0	1	1	0
Sheriff	88	3.2	4	4	10	2	5	1	1	0	0	0	0	0	10	5	4
Treasurer	45	1.6	15	4	6	1	0	0	0	0	0	0	0	0	3	3	1
Supt. of Public Instruction	47	1.7	13	9	4	1	0	0	0	0	0	0	0	0	2	3	0
Assessor	70	2.5	8	7	4	4	0	0	0	0	0	0	0	0	3	7	2
Commissioner District 1	34	1.2	24	2	0	0	0	1	0	0	0	0	0	0	0	1	0

*In only 27 counties for 1930, a study was made of the nominations for county offices due to the shortness of time and the difficulty of getting access to newspaper files. A questionnaire was also sent to all the secretaries of the county election boards in the state but they responded very poorly.
^bThe office of county weigher and county surveyor attracted so few candidates that no study was made of them. For county commissioners, only district number one is included in the table for 1930 because the other two districts are very similar. Oklahoma elects 13 county officers every two years, in addition to justices of the peace and township officials.

in 56 of the 60 contests which ranged from about 1 to 60 per cent but, however, the average was about 15 per cent. The counties were strongly Republican in 2 of the 4 contests where the run-off vote decreased.

The Republicans had candidates for 108 of the 118 seats, and for 75 of these seats only 1 candidate filed. There were 8 run-off contests and the high candidates in the first primary won 7 of them. The run-off vote decreased very materially in three of them while there was a small increase in the other four. The total number of candidates seeking House seats was 160 or an average of 1.4.

Table X points out the results of the 1930 run-off primary for county offices in 27 counties which are representative of the state as to politics and geography. Twenty of these twenty-seven counties are normally Democratic. The average number of candidates for each office as shown by the table above does not warrant the need of a second primary. Occasionally a large number of candidates file for the same office, but the run-off does not make enough shifts from the high candidate to the second high candidate of the first primary to warrant its retention.

The table below shows its operation for the Republicans for the same counties but, however, only twenty of the counties had Republican filings in them.

TABLE XI

Republican Candidates for County Offices, 1930
(For only 20 counties)

Offices	Number of Candidates	Av. Number	Number of Candidates Grouped According to Filings for Each Office									Wins with 3 or More Candidates in 1st Primary	Candidate Wins	
			1	2	3	4	5	6	7	8	9		1st High	2d High
Judge	23	1.1	18	1	1	0	0	0	0	0	0	1	0	0
Attorney	22	1.1	18	2	0	0	0	0	0	0	0	0	0	0
Court Clerk	24	1.2	16	4	0	0	0	0	0	0	0	0	0	0
County Clerk	25	1.2	15	5	0	0	0	0	0	0	0	0	0	0
Sheriff	45	2.2	6	7	5	0	2	0	0	0	0	4	2	1
Treasurer	25	1.2	15	2	3	0	0	0	0	0	0	0	1	2
Supt. of Pub. Instr.	25	1.2	12	3	1	1	0	0	0	0	0	1	1	0
Assessor	38	1.9	11	6	1	3	0	0	0	0	0	2	2	0
Commissioner														
District 1	20	1.0	0	0	0	0	0	0	0	0	0	0	0	0

Table XI demonstrates that the run-off primary yields less returns for the Republicans than for the Democrats. Seven of these 20 counties were strongly Republican but the filings were so few for 1930 that no run-off was required for most of the offices.

For all of the counties, there were only 9 run-off contests and the high candidates in the first primary won 6 of them.

It was possible to make an analysis of every one of the seventy-seven counties in the state for county nominations in 1932 and the tables below point out results to be very similar to those for 1930.

Table XII shows the results for the 1932 run-off primary for all the counties in the state for the Democratic party. The number of candidates seeking office is slightly higher than for 1930 (see Table X) but, however, no study was made of the whole state for that year. A glance at the table above (col. 3) shows that the average number of candidates for each office does not necessitate and justify a second primary. There were, of course, instances in a few counties where a host of candidates sought a particular office, especially, that of sheriff and county commissioner.²⁰ The office of county judge attracted the least attention among candidates while the offices of sheriff and county commissioner the most.

The number of run-offs required ranged from 9 for county judge to 44 for sheriff and 54 for county commissioner, district one. Of the cases where a run-off was necessary, the number of instances in which the second high candidate in the first primary was successful ranged for county judge from 2 out of 9 contests to 18 out of 44 for sheriff, or from 22 to 44 per cent, respectively. Furthermore, in a great number of cases where the second high candidate in the first primary won in the run-off, the contests were very close in either or both primaries or were in Republican counties where their election is very unlikely.²¹

The total number of candidates considered in the table was 2613 or an average of 33.8 for each county or an average of 3.07 for each county office.

Table XIII shows that the need of a run-off primary for county offices for the Republicans is much less than that for the Democrats. There were 716 candidates for the 36 counties in which there was at least a Republican contest, or an average of 19.6 candidates per county, or an average of 1.8 for each office.

The tables show that the sheriff's office (see Tables X, XI, XII, and XIII) attracts more votes than any of the other county offices, except in a few unusual cases. Furthermore the vote for the sheriff in the primaries is generally much larger than that for

²⁰An observation of several instances where a multitude of candidates was seeking the same county office pointed out that such was due, generally, to either a fight on the courthouse ring or that several candidates were "dummies" for it or factions of it.

²¹The depression and the presidential election were apparently stimuli for the Democrats to seek office in Republican counties.

TABLE XIII
Republican Candidates for County Offices, 1932
(For only 36 counties)²²

Offices	Num- ber of Candi- dates	Av. Num- ber	Number of Candidates Grouped According to Filings for Each Office													Wins with 3 or More Candi- dates in 1st Pri- mary	Candidate Wins	
			1	2	3	4	5	6	7	8	9	10	11	12	13		1st High	2d High
			7	1	1	0	0	0	0	0	0	0	0	0	0		1	0
Judge	45	1.2	28	7	1	0	0	0	0	0	0	0	0	0	0	0	1	0
Attorney	45	1.2	29	5	2	0	0	0	0	0	0	0	0	0	0	1	1	0
Court Clerk	55	1.5	21	12	2	1	0	0	0	0	0	0	0	0	0	0	2	1
County Clerk	57	1.6	25	6	4	1	0	0	0	0	0	0	0	0	0	1	3	1
Sheriff	117	3.2	7	10	5	7	4	0	0	0	1	0	0	0	1	5	11	4
Treasurer	62	1.6	22	6	6	1	1	0	0	0	0	0	0	0	0	2	3	3
Supt. of Public Instruction	49	1.3	26	8	1	1	0	0	0	0	0	0	0	0	0	0	2	0
Assessor	63	1.7	22	6	4	3	1	0	0	0	0	0	0	0	0	1	7	0
Commissioner																		
District 1	106	2.9	16	3	6	3	3	2	0	1	1	1	0	0	0	3	11	3
District 2	85	2.3	14	9	6	3	2	1	1	0	0	0	0	0	0	4	9	0
District 3	82	2.2	16	5	9	3	2	0	1	0	0	0	0	0	0	2	11	2
TOTAL	716																	

²²The table is limited to those counties in which there was at least one Republican contest which in all totaled 36 counties. The law does not require that the names of unopposed candidates shall appear on the ballot and for that reason it was impossible to check the number of unopposed candidates where there was no Republican contests except to write the secretaries of the county board who are very poor in answering questionnaires.

either Governor or United States Senator and such is even the fact in general elections, including the vote for President.²³

In conclusion, the arguments advanced for the necessity of a run-off primary election fall short, if based on the results of the two trials in Oklahoma. First, because there were no changes made in the run-offs for important state and national offices,²⁴ and for others down to and including the county offices, there were too few cases of the second high candidates in the first primary winning in the run-off.²⁵ Second, because a great number of the contests, which had three or more candidates in each of them, were settled in the first primary. Third, because there are not enough candidates seeking district and county offices, provided that there is a general distribution of candidates for the offices sought.²⁶ Fourth, because the "trades" and "futures," which are inevitably made by the older and more experienced politicians with others, especially, the younger men to remain out of or to enter contests as the situation seems to warrant it, tend to reduce the number of run-off contests.²⁷ And, fifth, because it is, in most cases, very doubtful whether the second high candidates in the first primary, especially, for the district and county offices are any better qualified than the high candidates.

Other objections may be raised against the run-off primary. Thus far, as it has been tried in Oklahoma, the expenditures for both the state and the candidates constitute a huge sum of money

²³There are cases where the vote for sheriff is from 1,000 to 1,500 more than that for Governor or United States Senator. Reasons advanced for this fact are: (1) The sheriff's protection of the lawless, (2) the sheriff's charitable and correctional activities, (3) the miscellaneous duties of the office naturally make the sheriff the best known of all the public officers to the average voter, and, (4) ballot box juggling in lawless areas.

²⁴In advance of the 1932 run-off primary, a leading southern state daily expressed its approval of it: "Oklahoma's run-off primary has proved its worth . . . The run-off system has saved us from Jack Walton again." *Altus Times Democrat*, July 7, 1932. Walton was nevertheless nominated in the run-off.

²⁵It has become the custom of the high candidate to advertise himself as a "winner" and hence the echo of the "band wagon" ballyhoo.

²⁶It is very questionable if there are 10 to 15 qualified candidates within a single county to hold the same office, or even for any of the state-wide offices, who are relatively known to the public.

²⁷Such deals very often reduce the candidacies to the extent that the first primary settles all the contests save that of county weigher or surveyor and possibly one or two others.

and effort for the few changes resulting from it.²⁸ It also adds weight to the now over-burdened voter.²⁹

Thus it appears that in making nominations to office, qualified persons are more likely obtained when some sort of prerequisites are set up rather than when unbridled filing is permitted and a choice is made therefrom by that wheel of fortune called the run-off primary system. The results to date in Oklahoma do not make it "a forward step" as it was so pronounced by the state supreme court in upholding its constitutionality.

²⁸It has become the practice of nearly all the successful candidates and a few of those defeated in the first primary to express their thanks to the public through newspaper advertisements.

²⁹In an attempt to get a friendly legislature, Governor Murray announced (1932) a slate, which he called the separation of the "sheep and the goats," so that the primary campaigns would be drawn on a Murray and anti-Murray basis.

BOOK REVIEWS

EDITED BY O. DOUGLAS WEEKS

The University of Texas

Lepawsky, Albert, *The Judicial System of Metropolitan Chicago*. (Chicago: The University of Chicago Press, 1932, pp. xv, 265.)

Moley, Raymond, *Tribunes of the People*. (New Haven: Yale University Press, 1932, pp. 272.)

During the last four years the voice of the taxpayer has been raised in one prolonged, if discordant, cry for economy in public places. Ever (as he is convinced) near the brink of ruin, the current depression has caused him to join cause with millions of his fellows in seeking relief from the alleged unconscionable expenditures of the boom days; and legislative bodies the country over have turned their hands, if not in every case their minds, to the problems raised by the inescapable demand for a reduction in public expenditures. All this is, of course, common knowledge, but what is not so widely recognized is the importance of thought, study, and investigation as precedents to action. It is imperative, seemingly, that our political institutions be overhauled, whether partially or completely depends upon the institution and the place; and it is imperative further that the overhauling agency have such information as will enable it to take reasoned action on the questions before it. Few institutions stand in worse need of repair and rehabilitation than the judicial systems of the cities of New York and Chicago. Few, therefore, are more worthy of study than these, and none requires a more skillful hand for its elucidation. The volumes under review are devoted to the court systems of these two metropolitan areas.

Dr. Lepawsky's book, as the title indicates, deals with the courts of metropolitan Chicago, which includes the region lying within a radius of fifty miles of the intersection of State and Madison streets in Chicago. This region has been found to be bound into something of a social and economic unit, notwithstanding it extends into three states and is peopled by almost five million inhabitants who live under some eighteen hundred different political jurisdictions. Social and economic unit the region may be, but governmentally its populations are separated into almost innumerable districts presenting a maze of overlapping boundaries, competing and frequently conflicting authorities, and a labyrinthine tangle of functions and duties which leaves the citizen in a state of utter bewilderment.

Nor is the arrangement for the administration of justice any more happy than that revealed by a study of the whole governmental setup. The author discovered, after an investigation which from the diversity of the sources consulted must have been extremely slow and painful, no less than 556 courts doing business in the region. To these courts are attached some 3400 officials and employees, who perform an endless variety of duties in the names of their hundreds of sovereign jurisdictions. The very presence of these judicial bodies and their officers warns the investigator that he will bog down on the edge of the morass, and counsels him to seek a less hopeless field for exploration.

Happily Dr. Lepawsky was undismayed at the forbidding front presented by his problem, but approached it with zest and vigor, and (what is perhaps equally as important) with unfailing good humor. In a thoroughly workman-like manner he has dissected his subject, analyzing in summary fashion the 700,000 cases adjudicated annually by the courts of the region, describing and appraising the court structure, commenting in a penetrating way on the distribution of court work, and paying his respects to such significant problems as relations between and control over the courts, the bench and the bar, "Trends in Judicial Skills," judicial finances, and reports and records. Nowhere has he lost sight of his objective, which remains clearly defined throughout. On the other hand, his fidelity to his purpose has not blinded him to the fact that he is dealing with a problem which pertains in good part if not largely to human relationships, a realization of which enabled him to keep his pen flowing smoothly through material which might easily have become wooden.

Notwithstanding Dr. Lepawsky's good humor, the reader is not allowed anywhere to forget that, while there are some good points about the judicial system of the Chicago Region, they are much more than offset by the blame-worthy features. The last chapter, indeed, summarizes very briefly on the major deficiencies noted previously, as a prelude to a series of recommendations for the reconstruction of the system. The conclusions need not detain us at this time; they are such as flow logically from the findings of the first eleven chapters. They ought, however, to give pause to anyone interested in the problem of judicial reorganization, for they rest on reasoned opinions which grow from an examination of all the facts available. In particular, the book ought to become familiar to the lawmakers of Illinois, Indiana, and Wisconsin, who will do the people of their respective states a very great favor if they will digest its contents and take action along the lines which it recommends.

The second book at hand deals with those "Tribunes of the People" of New York City called officially magistrates' courts. Its author was commissioned to make a study of those courts in 1930 by Judge Seabury, and to continue his investigations, when the Seabury Report was finished, in the name of the Commission on the Administration of Justice of New York State. These official relations placed him in a position peculiarly advantageous for the study which he undertook, a position which he has capitalized to the utmost in developing his subject.

Dr. Moley has employed few of the methods of the professor to lend to his study an air of authority. Footnotes are few, ponderous references are nonexistent, and the author has adopted a point of view and a mode of expression which reveal an apparent desire to make his book acceptable to a lay audience. He has written nevertheless with undoubted authority. The result of his efforts is a thoroughly reliable and at the same time a very readable analysis of the magistrates' courts which may be perused with profit by any to whom the subject may appeal.

It may be the depression will come to an end presently, and with it agitation for governmental reform. If this should come to pass, the major defects of the judicial systems of New York and Chicago almost certainly would go untouched, for in those regions, as in others, every step in a reform program must be wrung from unwilling hands. In the meantime there are two

studies which at once reveal the need for and point the way to a reorganization of the court systems of our two largest cities. One deals with the whole judiciary of a metropolitan region, the other with the lower courts of a metropolis. Both are good books, and both are deserving of a careful perusal, by the citizen who is interested in the administration of justice as well as by the legislator who is, or ought to be, concerned with the problem of judicial reorganization.

ROSCOE C. MARTIN.

The University of Texas.

Dunn, Frederick Sherwood, *The Protection of Nationals*. (Baltimore: The John Hopkins Press, 1932, pp. X, 228.)

———, *The Diplomatic Protection of Americans in Mexico*. (New York: Columbia University Press, 1933, pp. vii, 439.)

In *The Protection of Nationals* Dr. Dunn addresses himself to the task of reexamining the legal principles and processes relating to the institution of diplomatic protection of citizens abroad. His experience as a member of the Solicitor's Office of the Department of State, and subsequent intensive research into the problem, have convinced him that "the customary diagnosis of the difficulties surrounding the operation of the legal process in the international field" must be rejected and he "seeks to develop a conception of the subject that is more in line with modern theories of jurisprudence."

He discusses first the traditional conception of the institution of diplomatic protection. According to the orthodox legal approach there exist certain generally accepted standards of conduct ascertainable by reference to past practice and applicable to new cases by logical processes. For every case arising international law dictates what is lawful and what is not, and presumably the decisions are without reference to practical consequences or the material interests of the parties to the case. Yet this is not actually the procedure of Foreign Offices. Having evaluated the factors that determine the actions of governments, Dr. Dunn "reaches the conclusion that the introduction of extra-legal factors in the disposition of contentious issues is unavoidable."

To serve as the basis of international responsibility for injuries to aliens, he offers a new theory, that of "Risk Allocation." He proposes recourse to the notion of risk allocation, as developed in Anglo-Saxon law in recent years, in place of the old notion of fault as the determinant of responsibility. This means that the state should assume the risk of injuries from misuses of the governmental power. It follows that, when there is a delinquency on the part of a particular official, the question should be asked, Has the state established governmental organs capable of maintaining the minimum conditions necessary for the carrying on of normal social and business relations? If it has, then the state escapes responsibility, otherwise it assumes liability.

Dr. Dunn's rather effective assault on the traditional conception of diplomatic protection, a subject which he discusses merely by way of illustration, lends weighty support to his disconcerting assertion that "we do not today possess a rational science of international law in any very useful meaning of the term."

To illustrate the operation of the system of protection of nationals abroad, Dr. Dunn presents a second volume, *Diplomatic Protection of Americans*

in Mexico. This work comprehends a detailed and critical historical discussion of the problem of protection throughout our Mexican relations. Of particular interest are the chapters on the Claims Commissions.

The most prolific cause of controversy between the United States and Mexico has been that of the protection of American lives and property in Mexico. On the one hand the government officials of the United States have regarded it as an unavoidable duty to maintain international standards of conduct in the treatment of foreigners, and Mexico on the other hand, while not denying the obligation to deal justly with foreigners, has come to look upon the institution of diplomatic protection as a burden and a menace.

The field of protection represents a continuing clash of material interests between the two countries. There has been a "striking parallel between the upward and downward curve of American territorial and economic ambitions toward Mexico on the one hand, and the concern with which American officials seemed to regard reported injuries to Americans in Mexico on the other. The same events which, in times of mounting ambitions, took on the aspect of extreme gravity, were at other times treated as minor misfortunes that might happen in any country."

The primary purpose of the author in writing this book was to show what actually takes place in the resolving of conflicts of interest. Needless to say the results of the study evidence a marked departure from the rigid legal and logical process. The survey also shows that diplomatic protection, as an institution for the peaceful solution of conflicts of interest between the United States and Mexico, has accomplished very little. Its record is bad. The author's conclusion is that the only hope for the future lies in an "improvement of the whole legal process as applied to international affairs rather than of the institution of diplomatic protection itself."

These two volumes are thought-provoking. They are worthy of the serious attention of students of international law.

J. LLOYD MECHAM.

The University of Texas.

Brunner, Edmund de S. and Kolb, J. H., *Rural Social Trends*. (New York: McGraw-Hill Book Company, 1933, pp. ix, 386.)

This monograph has been published as one of the series prepared under the direction of the President's Committee on Social Trends. These studies have been projected upon the premise that *modern life is so closely integrated as a whole that no change can occur in any of its phases without affecting other phases in some measure*. Each particular branch of the research was entrusted to specialists in the special field for consideration. Brunner and Kolb's work has been conducted in conformity with the general plans promulgated by the Committee which consigned the directorship of research to W. F. Ogburn.

Brunner and Kolb have organized their part of the report which comprises *Rural Social Trends* around twelve problems which, for sake of convenience, could be grouped into five general topics, (1) Rural population groups and non-farm, (2) Socio-Economic relationships of farmers and non-farmers, (3) Educational and social service activities, (4) Socio-political organization in rural society, and (5) A retrospective and prospective glance.

Numerous statistics have been assembled from both the census and private sources. These data are displayed luxuriantly throughout the text, and are supplemented profusely by basic source materials comprising the larger proportion of seven appendices. For the most part it can be said that the data given represent quantitative changes in the material culture which have occurred during the first third of the twentieth century. The report may be considered as a handbook of facts on rural, i.e. agricultural and village, society. The factual data deal mostly with such phenomena as changes in population, village growth, service relationships and merchandising trends, change in consumer demands, in the amount of illiteracy, and many other such changes which can be expressed in physical quantities.

Perhaps there is no just ground for criticising an author except for shortcomings in what he himself proposes to do. None-the-less, one wonders why these writers, or the committee to which they have been responsible, did not emphasize more fully the non-material aspects of the trends they have cited. It is easy to discover a figure on the trend in the birth rate, the age of the sexes at marriage, and sex ratio in different population groups, but what do these things mean with reference to the family institution? Has the family disintegrated as an educational and a social institution? Or, does the tendency of farmers to join village churches and of country churches to die out mean that the religious life of farmers is becoming extinct? What do the changes in farm tenancy mean with respect to the nature and character of rural social organization in the future? Although the book describes these trends minutely, one is at a loss in trying to discover what the authors consider their true significance to be. It may be that conformity with the general scheme of the committee precluded any interpretation of the data, other than saying what is going on. If so, the next step would be to take these same data and give the *why* and the *wherefore* in each of the major trends that have been observed.

There is no evidence that the personalities of the authors, except possibly in bibliographical citations, have entered into the text in any way. Occasionally, there is an unconscious personal touch in the writing, but it appears to be purely accidental. For the most part, the authors have remained behind the scenes and have simply acted as curtain callers. It seems a waste to sacrifice the energies of men as able as Brunner and Kolb by forcing them to perform, however worthwhile it may be, a task that is mostly clerical. The Committee, and not the research specialists, are to be criticized for this. If this monograph is to be valuable from a political standpoint, it will be necessary to have a full size corps of interpreters to assist the practitioners in its application to social problems. However, as a reference book for the independent investigator, its value will prove to be inestimable within the limits which were imposed upon it.

O. D. DUNCAN.

Oklahoma Agricultural and Mechanical College.

Wiley, Malcolm M., and Rice, Stuart A., *Communication Agencies and Social Life*, [Recent Social Trends Monograph] (McGraw-Hill Book Company, New York and London, 1933, pp. xv, 229.)

When a writer attempts to discuss communication agencies, he is immediately confronted with the problem of limiting the scope of his efforts.

As these authors remark in their introduction, communication is the essence of social life and a comprehensive survey of the field would lead into all social relations and mechanisms beginning as far back as the physiological structure of the individual. Their solution of the problem has been to select only those forms of communication in which there has been considerable change during the present century and to consider only those phases of such forms as lend themselves readily to objective treatment. Thus, they have discussed communication agencies under three general headings: those which involve the movement of persons from one point to another, those which involve the transfer of thought from one person to another by means of some physical equipment, and those mechanisms by which masses of people are affected through some central agency of a physical nature. The railroad, the telephone, and the newspaper are typical of the three sorts of agencies considered. The study is further limited by the omission of all face-to-face communication; whether informal or institutionalized; all printed matter other than periodicals; and they have refused to discuss the probable effects of other agencies just being developed, as television. This has been done consciously and purposely, as a means of delimiting the study.

Such a method has its advantages—and disadvantages. It gives the study a degree of concreteness that could not be obtained otherwise, and so adds a tone of authority. It also obviates the danger of making predictions which time might easily prove to be foolish, and it brings the study into practical compass. But it also leaves the reader with an impression of incompleteness, as if he were looking at a map only partly filled in. The larger problems raised by the changes in the system of communication are stated rather than discussed. For instance, the following quotation from the section dealing with the newspaper will illustrate the strength and weakness of the method used: "It is not the present purpose to discuss such qualitative changes in the content of the newspaper as increased attention given to sports and finance; the place of sensational matter symbolized by the rise of the 'tabloid'; or the increased proportion of non-news reading matter, such as comic strips, stories and other 'magazine' materials. These are trends which vary widely from paper to paper, and which together constitute a separate problem." True, but it would seem that circulation figures, news sources, and such materials cannot tell the whole story of the effects of this agency.

The volume closes with a valuable discussion of the "Integration of Communication" in which the authors state their belief that the increased ease of communication results in the paradoxical effect of increasing provincialism and at the same time creating national and international standardization. This, they believe, is the result of selection from the immense stream of stimuli to which the individual is constantly subjected, so that while he may become overtly standardized, he may at the same time become covertly differentiated.

HARRY E. MOORE.

The University of Texas.

Martin, Roscoe C., *The People's Party in Texas*. (Austin: The University of Texas Bulletin, No. 3308, 1933, pp. 280.)

The last decade of the nineteenth century witnessed an upheaval in the political life of the American people seldom seen in the party history of any country. New ideas of government were in the process of formation, and for a time it seemed the old major parties might fail to adapt themselves to these new ideas. This hesitancy helped to produce one of the most vigorous third party movements in American history. Party life in the United States during the past forty years cannot be thoroughly understood without a knowledge of this movement. Many of the "reform ideas" of the third party leaders were soon taken over by the major parties and converted into working governmental principles, others were rejected and did not become active until our economic conditions again became chaotic after 1929. Many of the economic complaints of the people as made in the last decade of the nineteenth century and the remedies proposed by the leaders of that period, sound strangely similar to the problems and their solutions which we have heard during the past three years. Dr. Martin has made the "depression" of the nineties, with all its economic hardships and political remedies, live again in all its bitterness, despair, and disappointments.

The author of *The People's Party in Texas* has spared no time or trouble in making this study a thorough piece of work. In the collection of the material for this study, he made a personal investigation of the Populist party in sixty-four Texas counties; more than 250 men, many of them ex-populists, were interviewed, and the files of more than thirty newspapers published during this period were discovered and examined. By using this method, Dr. Martin has been able to give us a vivid picture of the mental conditions of the mass of Texas voters as they made their political choices during the disturbed days of the nineties. As one reads into the book he is impressed with the fact that the people of that day were feeling and thinking more deeply about political matters than they have felt or thought since. The author has been a real artist in depicting the causes and results of these political emotions. He has given us a description of a party as it functions at its base as well as explaining its workings from the viewpoint of organization and leadership. The description of the Populist party leaders is a study in political biography seldom surpassed.

The book shows well-balanced and orderly planning in its physical make-up. The ten content chapters deal with the political and economic background of the People's party; its program for relief; the roots and sources of Populist strength; the racial complexion of the party: its organization and technique; the reform press; an analysis of the Populist successes; and Democratic reprisals during the last days of the party. These ten chapters are followed by a sixteen page chapter of summary and conclusions which serves to tie the whole study together into a clearcut and understandable unit. With approximately five hundred footnotes, an excellent bibliography, and a good index, the study will prove to be an invaluable aid to research students in the field of American political history. Nothing has been omitted to make the book both interesting and instructive to the general reader as well as to the student of Texas history and politics. The political complexion of Texas is summarily presented in a list of twelve tables, five maps and four charts.

The cartoons, Populist songs, and poetry add to the general interest of the reader.

Throughout the book the style is simple, clear, and direct, the choice of words is very fortunate, and many ideas are made to linger in the reader's mind because of the impressive manner of their expression. Indeed, the literary merits of the book as a whole could well be praised. The reviewer is wholly in agreement with the statement of Professor Charles E. Merriam in his preface to this study when he says the "monograph not only throws much needed light on the local history of Texas, but it also helps to illuminate our knowledge of the radical movement of the 1890's throughout the whole country, and indeed of the growth of the 'insurgent' movements in the more general sense. This painstaking inquiry into the detailed operations of a special party association in a special period is a contribution to political science which no student of American politics can afford to ignore."

S. B. McALLISTER.

North Texas State Teachers College.

Denman, Clarence Phillips, *The Secession Movement in Alabama*. (Montgomery: Alabama State Department of Archives and History, 1933, pp. xiii, 190.)

In this monograph, written originally as a doctoral dissertation at the University of Michigan, Professor Denman presents a concise, accurate account of the secession of Alabama from the Union in 1861. In part, of course, his story is that of the whole South. In the several cotton states the growth of secessionist spirit took place not entirely uniformly, but naturally with some concert. South Carolina "jumped the gun" in 1832, but the rest of the slave states followed her lead out of the United States in 1860. Alabama's movement to secession was less impetuous, more conservative, and somewhat more typical of the South. Although confessing that the seeds for sectional hostility were sown among the states before Union, the author finds an articulate trend towards secession in Alabama only with the controversy over the Wilmot Proviso in 1846 and the Russellville meeting. From this time (on) Alabama played a "conspicuous" part—led by the redoubtable Yancey. That the extension of slavery was a false issue, that they were arguing over a "hypothetical negro in an impossible place"—was urged by a few unheard voices; but, even if the fact had been recognized, the danger to the South of Northern hatred of its "peculiar domestic institution" would have been no less real. In fact, it was the fear of abolition and its social consequences, according to Denman, which really drove Alabama to disunion. Although he may have minimized economic loss as a potential single cause more than was wise, his point is well taken. Abolition was the stalking horse of social catastrophe for the South. All Alabamans agreed in opposing it in its manifold forms, direct and indirect. The chief differences among them were as to method, the conservatives, Hamlet-wise, holding the radicals in leash. The Unionist, Southern Rights Union, and Southern Rights party alignment was succeeded by the Coöperative Secessionist, "Straight-out" set-up, but in the whole controversy there was little questioning of allegiance to slavocracy. One wishes that the author had read between the lines a little more, and told us whether fear of war did not motivate much of the opposition, often vague, often inconsistent, to secession in Alabama.

It will appear to the general reader that the author exercised over-cautious restraint in interpretation, but certainly his meticulous care as to generalization is of the essence of scholarship. That even a united Democratic party in 1860 could not have defeated Lincoln and that secession in Alabama was not necessarily correlated with the Black Belt are examples of his careful scrutiny of popular ideas. One objection to his treatment should be made, even at the risk of pedantry. His characterization of the Ultra-Unionists as standing for Union, right or wrong (pp. 37, 40), certainly does not conform to his own exposition of their views. They stood for Union, because Union was right. The value of the well-written little volume is enhanced by the appending of a number of analytical maps and tables and a comprehensive bibliography.

AUGUST SPAIN.

Yale University.

Van Vleck, William C., *The Administrative Control of Aliens*. (New York: The Commonwealth Fund, 1932, pp. ix, 260.)

One of the most interesting studies in the field of modern government is the expanding scope of administrative discretion and the consequent growth of administrative law in Anglo-American countries where formerly a strict adherence to the "rule of law" seemed to preclude, or at least to cloud, any extended development in this field. Of particular importance is this growth in the United States where the courts, enjoying the power of judicial review of legislation, and ever scanning administrative action in the shadow of such constitutional principles as the separation of powers, "due process of law" and the like, have jealously guarded the individual, at least formally, from the "horrors" of administrative finality. But the necessity for speed and action, made imperative by the conditions of today, has resulted in a widened orbit for administrative discretion and, likewise, a larger number of administrative determinations that have, for all practical purposes, the force of law without benefit of conclusions reached by "the judicial mind." To study this significant development, the Legal Research Committee of the Commonwealth Fund interested itself, about a decade ago, in making studies of the most important administrative organs in the United States; and this book, by Dean Van Vleck of the George Washington University Law School, is one of this series.

It might be thought that the administrative control of aliens is not a problem of first magnitude in this recent field of development, and yet the recent broadened bases for exclusion and expulsion, the growing number of "aliens" accused and expelled each year, and the wide administrative discretion that is judicially allowed concur in making this subject one of the most instructive in both the fields of administration and administrative law. Dean Van Vleck, moreover, has made an excellent study of this field; and, by personal observation and the examination of five hundred cases each of exclusion and expulsion, he has acquired a wealth of material that is impossible to obtain elsewhere. Throughout the book many interesting illustrations are given to drive home each point, and the reading, even on the most technical points involved, is quite entertaining as well as instructive.

The first two chapters are devoted to a brief consideration of the growth of immigration legislation, the legal background for administrative control

of aliens, the administrative organization that is responsible for such control, and the two processes involved, exclusion and expulsion or deportation. Then the author proceeds to a more detailed analysis, in chapters III and IV, of the exclusion process and the process of expulsion, paying special attention to the administrative procedure involved in each process and giving actual cases illustrating each step in this procedure. Then follows an interesting chapter on judicial review of this administrative control which shows clearly the inconsistency, and even dilemma of the courts in reviewing cases of exclusion and expulsion. Finally, there is a concluding chapter in which the author impartially states his conclusions as to the operation of the two processes and judicial review, and gives his suggestions for improvements which would more properly safeguard the interests of the aliens involved.

Such studies as this one are of paramount importance at the present time when extensions of administrative rule-making and administrative decisions seem to be the order of the day. For those who criticize the courts for invading the province of administrative determination, this book will give ample evidence that the administrative process, unless quite highly refined, may be arbitrary, defective, even totally unjust—and in fields, likewise, where administrative action is more judicially circumscribed.

J. ALTON BURDINE.

The University of Texas.

Eagleton, Clyde, *International Government*. (New York: The Ronald Press Co., 1932, pp. xx, 672.)

The nature of the material properly belonging in courses on international organization and on general international relations still occasions some difference of opinion among teachers in the field. How much "law" should be included in a course on international organization and administration, and how much "government" should go into a course on international law? As Professor Eagleton states, something will depend upon the type of school and the number and arrangement of courses in the international field. In the present volume he frankly seeks to give the student a fair survey of the elements of the international law of peace as well as the main outlines of international organization and administration, or government, as it may properly now be called. In doing this he is thinking of the needs both of those students who would later take a technical course in international law and who need an introductory course, and of the students who are not going farther into the general field but who nevertheless wish a general survey course in both law and organization. Knowledge of this purpose will materially moderate any initial tendency to criticize the text on the score of the inclusion of much legal matter.

The author may be on the right path in his attempt to give a clear analysis of the legal position of the state in the society of states before he considers the strictly governmental aspect of international relations. Furthermore, his treatment of both law and government is commendable for its clarity, for its refreshing freedom and courage in attacking the mouldy canons of the past, and for the comprehensiveness of the author's grasp. The author boldly attacks the theory of sovereignty, the argument against force as a sanction, and the older doctrine that the individual has no place in international law. He divides the more strictly governmental portion of the text into three

parts: The machinery of international intercourse, the modern organization of the community of nations, and the control of war. It is thus apparent that major emphasis is placed upon the League system, as undoubtedly it should be. It is equally apparent that the haphazard, piece-meal nature of international organization and administration still prevents any logically satisfactory treatise on international government along the traditional divisions of executive, legislative, judicial, and administrative principles, machinery, and functions. We gladly hail Professor Eagleton's text as an excellently written, well documented, accurate study that gives due regard to present and past but does not fear to point the way to the future.

CHARLES A. TIMM.

The University of Texas.

McKenzie, R. D., *The Metropolitan Community* [Recent Social Trends Monograph]. (McGraw-Hill Book Company: New York and London, 1933, pp. xi, 352.)

By pointing out that the New York metropolitan region—within thirty minutes of Times Square by existing transportation facilities—has a greater population than Canada, or seventeen of the twenty-seven nations of Europe, or twelve of the thirteen South American countries, this author emphasizes the accomplishment of the tendency Gras pointed out some time ago. Such figures indicate that beyond doubt the actual basis of organization of our society is the city and its hinterland, no matter what the political boundary lines may suggest, or how long we may cling to traditional methods of organization. Such a form of organization is not confined to such districts as that of New York, but is followed in all parts of the nation, McKenzie points out, though there is considerable over-lapping of the areas of influence.

The explanation of this newer form of organization, he finds in increased transportation and communication facilities, and by mapping such factors as railroads, highways, newspaper circulation, broadcasting stations, etc., a fairly accurate picture of the metropolitan regions may be secured. But if the railway made possible the modern metropolitan area, the automobile and truck are re-arranging it, he believes, creating a super-community organized about a focal point but consisting of differentiated centers highly specialized; the whole characterized by high mobility of population.

However, it is metropolitanism as a mode of life that holds the chief interest of this author, and it is to this phase of metropolitanism that he devotes most of his volume. Greater ease of transportation and communication has not only enabled the city to extend its sway over territory formerly considered strictly rural, but has resulted in a ruralization of the cities themselves, he thinks, the net effect being a strong tendency toward standardization and a diminution of the effects of density of population. Out of this situation has emerged a regional consciousness and a policy on the part of cities to hold onto their present hinterlands and to attempt to enlarge them through manipulation of transportation routes and rates. This is becoming more important with the approaching maturity of most of the metropolitan regions of the north and east.

In a special chapter, Thomas H. Reed argues the necessity for governmental recognition of the metropolitan region and the realignment of governmental functions to take into account the existing conditions.

HARRY E. MOORE.

The University of Texas.

McIlwain, Charles Howard, *The Growth of Political Thought in the West*. (New York: The Macmillan Company, 1932, pp. vii, 417.)

A history of political thought in any age is not only one of the most intriguing, but also one of the most difficult tasks that an author can undertake, for it is laden with difficulties of language, of interpretation, and of evaluation. Professor McIlwain has made in this book, as he states in his preface, "a serious attempt to set forth in moderate compass and with the greatest possible clearness the *development* of our ideas about the state and about government, beginning with the fifth century B.C. in Greece and extending as far as the end of the middle ages"; and to the mind of the reviewer, any detailed examination of the book will convince the reader that the author has effected his purpose in an admirable manner.

Since the development of political thought in the West was so dependent upon the foundations of political speculation of earlier centuries, Professor McIlwain devotes the first three chapters to a consideration of the political theories developed in Greece, particularly those of Plato and Aristotle; and he continues in Chapter IV with an examination of the political thought of Rome, republican and imperial. Then, in two excellent chapters, he surveys the contributions of the early and later Middle Ages, and ends by a Conclusion (Chapter VII) that brings us to the threshold of modern political thinking.

Such a task might seem insuperable within the compass of a single volume, but Professor McIlwain has demonstrated that it can be done, without the loss that brevity often demands. Words are made to count. Interpretations are made clearly, and arguments on disputed points, which constitute interesting excursions on the part of the author (such as St. Augustine's belief that justice was, or was not, necessary to the being of a state, pp. 154-160), are given cogently. Moreover, all the important writers of the period receive just treatment, considering the limitations of space imposed by a single volume. And no little of the value of this book comes from the footnotes which will acquaint the reader with a valuable critical bibliography, French, German and English, in the field of political thought.

Professor McIlwain has contributed a book that will be of considerable use in survey courses on the history of political theories. It is of convenient size for such courses; and, moreover, in its pages one finds more than a mere enumeration of political theorists with the ideas that each held—one finds, in short, a connected discussion of the *development* of political ideas with their various inter-relations. It is, indeed, a scholarly work from the pen of a great teacher of the history of political thought.

J. ALTON BURDINE.

The University of Texas.

Patterson, Caleb Perry. *American Government*. Revised. (Boston: D. C. Heath and Company, 1933, pp. ix, 938.)

There is more than one good text in the field of American Government. However, from the standpoint of accuracy, balance, and completeness there are none better than Dr. Patterson's book. The volume contains four parts: Part One consists of 40 pages devoted to theory; Part Two (536 pages) is devoted to national government; Part Three (195 pages) to state government; and Part Four (112 pages) to local government. The nature of the work is accurately revealed by the words of the author in the preface when he says:

"The purpose of the following pages is to indicate the evolution of the American constitutional system, the character of its changes, and the bases and methods of its operation. Facts have been subordinated to principles and tendencies, and opinion has been expressed to give form and direction to detail and to provoke thought and discussion. While constitutional principles and structures have received proper consideration, an effort has been made to discover the actual operating bases of the system. Emphasis, therefore, has been placed upon the informal constitution, executive leadership, political parties, and administrative agencies."

The Revised Edition is thoroughly done. The necessary modifications have been made so as to include new laws and amendments. Also additions have been made. The chapters on national administration and constitutional principles have been rewritten, and a chapter on "The Character of American Federalism" has been added. But the most notable feature of the revision is the addition of charts, twenty-nine in all, designed to give the student a clearer conception of the actual functions of government.

In the opinion of the reviewer, the chapters on "The Character of the American Federalism" and "The Principles of the Constitution" are the best brief statements of these subjects to be found anywhere. The series of charts will add materially to the value of the book; and the book as a whole is worthy of a wide adoption as a text for college classes in the survey course of American Government.

ALVAH P. CAGLE.

Baylor University.

Gonzalez del Valle, Francisco, *La Conspiración de la Escalera: I. José de la Luz y Caballero*. (La Habana: Imprenta "El Siglo XX." Pp. 105.)

Ponte Domínguez, Francisco J., *La Idea Invasora y su Desarrollo Histórico*. (La Habana: Cultural, S. A., 1930, pp. 220.)

Carrillo Morales, Justo, *Expediciones Cubanas*. (Habana: Rambla, Bouza y Ca., 1930, pp. 231.)

These three volumes of Cuban history deal with insurrections. Gonzalez' work is the first of three monographs portraying the great conspiracy of 1844 in which many of the most public spirited white leaders joined with the blacks to secure their freedom. In a treaty in 1814 with England, Spain had agreed to abolish the slave trade, but the governors general, together with the leading Cuban planters, had nullified the treaty, with the result that there were more negro slaves in Cuba in 1844 than white men. There grew up an abolition movement in Cuba not unlike that in the United States and it was headed by de la Luz y Caballero. Its chief motivation was the fear

of the whites that white culture would be swamped in Cuba as it had been in Haiti, unless slavery and the slave trade were abolished. The author writes well and he has brought out clearly and interestingly the events leading up to the conspiracy in this first volume, pointing out especially the parts played by the leading men. This is a social history.

Ponte is also a social historian, indeed a philosopher of history in the best sense of that term. He has noted the fact that all of the Cuban revolutions started in the east of the island and spread by invasion to the western provinces, because the Spanish power was centered in the west. The Spaniards sought to keep the insurrections localized in the east and to wear them out there. These conflicting policies were repeated from 1821 onward, and especially in 1868, 1874 and 1895. Ponte sets himself the task of discovering the causes of this trend by means of a careful analysis of the history of these revolutions and insurrections. He finds the chief explanation in geography. His book is well documented and the several bibliographies of the Cuban insurrections are of great value.

Carillo's *Cuban Expeditions* is a collection of reminiscences of the final revolution of 1895-1898, in which the author was secretary of the Department of Expeditions operating from the United States. While not a set historical treatise, it presents a valuable collection of photographs of leaders and of expeditionary events made at the time that would be difficult to duplicate. The author also describes these events interestingly and vividly.

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BOOK NOTES

The Public Service Commission of Maryland (Baltimore, Johns Hopkins Press, 1932, pp. xi., 177) by Henry G. Burke is a monograph prepared as a part of the study of judicial administration in Maryland under the direction of the Institute of Law of Johns Hopkins University in coöperation with the Judicial Council of Maryland. With the view that in the field of public utility regulation "one thing which is obviously needed as a basis for useful discussion of the possibilities for improvement is a comprehensive and, so far as possible, objective and unbiased account of the activities of some of our commissions," the study does not presume "to enter the field of controversial writings and theories concerning public utilities." Rather, it was undertaken "in the spirit of the pursuit of fact and detail."

Approximately one-third of the study is an examination of the public service law with a most interesting account of the political maneuvering and parliamentary strategy that accompanied the battle for its adoption, a summary of the provisions of the law, and a recital of the proposed amendments which have failed of enactment. This is followed by a brief summary of the organization and jurisdiction of the commission and tables showing in detail the cost of maintaining the commission, the state appropriations, and the various sources of revenue.

Inasmuch as the real purpose of the report is to deal with one phase of administrative law and present an "analysis of some of the significant workings" of the commission in "its regulatory and administrative activities," the remaining portions of the study achieve the true objective. These deal

in considerable detail with the dockets of the commission and the disposition of cases as well as with relations between the commission and the courts and briefly with the matter of valuation and rate cases. While the "material provided by the Public Service Commission of Maryland is by no means exhausted" in this presentation, those who desire factual information in specific case studies, with which to draw warranted generalizations of the nature "ventured" by the author in conclusion, will find this monograph most useful. May we hope that comparable studies will be forthcoming. H. A. C.

What Professor Wilson Wallis set out to do in *Culture and Progress* (New York: Whittlesey House, 1930, pp. xii, 503) is tremendously worth doing. But it is impossibly tremendous. To dissect contemporary occidental civilization, to exhibit its continuity with early society, to reexamine the mechanism of culture-building, to analyze the concept of progress, and to trace the development of that idea through the history of European thought: any one of these assignments might well have filled a book. Attempted together they inevitably inhibit each other. As a result *Culture and Progress* is inadequate to each of its possible uses. It could hardly serve as a presentation either of contemporary society or of the history of civilization. For the theory of culture it would suffer from comparison with such manuals as Wissler's or Dixon's, while its treatment of progress is not to be compared with Bury's. The author's technique is to deal out points as a player deals cards, so that a sample page (e.g., p. 200) reads: "Thomas Aquinas interprets . . . Lamarek defines . . . Herbert Spencer applies . . . Plato appeals . . . Aristotle appeals . . . The principle is accepted by Lucretius . . . Archeology confirms . . . etc., etc." Doubtless seven-league-boots are necessary to cover such enormous distances. But the mind, like nature, refuses to make jumps. Thus refusing, the reader is brought to wonder whether the author's headlong course and apparent immunity to vertigo may not be due in part to astigmatism, and this impression is strengthened by the extraordinary simplicity of his views. Whereas Bury concluded his *Idea of Progress* by asking, "Will not that process of change, for which Progress is the optimistic name, compel 'progress' too to fall from the commanding position in which it is now, with apparent security, enthroned?" the last chapter of *Culture and Progress* suggests that "men can make progress in understanding progress," and the last paragraph instructs us that we can fashion the world as we will: "Men have as satisfying a social life as they deserve; when they deserve better it will be theirs for the asking and the taking." C. E. A.

Julius Stone, in his *International Guarantees of Minority Rights* (London: Oxford University Press, 1932, pp. xiii, 288), gives to those interested in minority problems an excellent and much-needed monograph on the legal aspects of the protection of minorities by the League of Nations. In Part I, he compares the competence of the Council with methods of protection employed in the nineteenth century and then discusses the nature of the guarantee afforded by the League. In Part II, he is concerned primarily with the preliminary procedure when petitions are received, i.e., the nature of the petition, the functions of the minorities section of the Secretariat in regard to it, and the place and work of the minorities committees of the Council. The

procedure when the petition actually comes, as few petitions do, before the Council is considered in Part III, the main topics being disputes between states, constitutional checks upon the activity of the Council, and the internal machinery of the Council. A concluding chapter sums up the salient points of the whole study. The appendices contain useful documentary material and tables.

C. T.

A revised edition of Finla G. Crawford's *Readings in American Government* (New York: F. S. Crofts & Co., 1933, pp. xv, 756) has recently been issued, and in this revision Professor Crawford has added much new material which materially improves the usefulness of such a book. Likewise, he has rearranged somewhat the method of presentation and has left out much of the old material—both to an advantage. The most important improvements which he has made, aside from a more judicious selection of material, are: (1) a more extensive use of introductory notes, not only at the beginning of each chapter but also at the various subdivisions of each chapter, to explain the material that follows; (2) the inclusion, at the proper place, of extracts from important decisions of the Supreme Court, such as *Marbury v. Madison*, the *Myers Case*, the *Pocket Veto Case* and the like; and (3) the inclusion of the constitutional provisions relating to the executive, Congress, and the judiciary in their respective chapters. The problem of selection in a book of readings on American government is so vast that disagreement is only natural in the matter of inclusion and exclusion, but, on the whole, Professor Crawford has given us a book that will prove helpful and convenient in courses in this field.

J. A. B.

In an attempt to measure, from several points of view, the progress of Soviet Russia roughly to the end of the first five-year plan Jerome Davis, as editor, secured the collaboration of several well-known authorities in different fields of the social sciences in the preparation of *The New Russia: Between the First and Second Five Year Plans* (New York: The John Day Company, 1933, pp. xiv, 265). It is a symposium covering a wide range of topics, such as industry, finance, agriculture, law, education, social welfare, and even the psychologic and geographic factors. In the main the authors evidence a sincere desire to avoid anything like bias; consequently the reader may feel confident that he is not being subjected to propaganda for or against the Soviet system. On the contrary, he has before him the results of careful study by social scientists, each qualified to speak not merely by his position as a scientist but also by the fact that he has considerable first-hand knowledge of the Russia of today. In view of its readability, clarity, and impartiality the book should appeal to people who are not afraid to know both the successes and the failures that the U. S. S. R. has thus far achieved.

C. T.

Under the title *Planning for the Small American City* (by Russell Van Nest Black, Chicago, 1933), Public Administration Service has published a summary of ninety pages of the "principles and procedure especially applicable to the city of fifty thousand or less" in the realm of city planning. The author has approached his problem in a workmanlike manner, and has

packed a great deal of practical information and advice into his twenty well-filled chapters. Part I covers the general subject of "Making the City Plan;" Part II deals with the scope of modern planning; and Part III treats of the execution of the plan. The reviewer knows of no similar work which combines conciseness and comparative completeness with anything like the effectiveness achieved by Mr. Black. This is not an encyclopedic treatise on city planning. It is, however, a thoroughly usable handbook on the subject, valuable alike to officials concerned practically with planning and to citizens interested in that most important phase of their city's activity. R. C. M.

The Framework of International Society (London: Longmans, Green and Co., 1932, pp. v, 92), by S. H. Bailey, published in the series of Workers' Educational Association Outlines, presents in brief compass an excellent survey of the fundamental bases of international relations, the growth of international society, the machinery for the conduct of international relations, the problems involved in the attempts to eliminate war, and the framework of international society. The author is to be commended for his thoroughly sane approach to the whole problem. Instead of basing the growth of international society upon such unreal imponderables as the moral or ethical sense of the universal brotherhood or the supposedly growing ideas of kindness and tolerance, he presents international society as the result of man's efforts to serve his own needs and interests, many of these needs and interests having long ago outrun the capacity of the separate states acting within their own political frontiers. C. T.

The Society of Nations (Washington: The Brookings Institution, 1932, pp. xxii, 678), by Felix Morley, has for its purpose not so much a description of the machinery of the League and an account of the League's activities but rather an explanation of what the League is. In the execution of his plan the author gives first an excellent and in some respects original account of the drafting and adoption of the Covenant, and next an interpretative discussion of the organization and activities of the League since its inception. Throughout he seeks for constitutional developments and tendencies rather than for mere facts. His use of the Sino-Japanese dispute to show the interrelationships and the procedure in the Council and the Assembly is well done. The volume will appeal to all who desire to get a better view of the constitutional laws and practices of the League of Nations. C. T.

In the past much of the attention which has been given to the study of our American court systems has been diverted from our so-called minor courts. Issued by the Institute of Law as a part of the study of judicial administration in Ohio, Paul F. Douglass' *The Justice of the Peace Courts in Hamilton County, Ohio* (Baltimore, Johns Hopkins Press, 1932, pp. vi, 118) is consequently one of the few detailed studies of courts at this level. The work is based on an examination of over five thousand civil suits and more than twelve hundred criminal cases extending over a five year period. Moreover, one of Ohio's most representative areas was selected, inasmuch as Hamilton County contains twenty-six justice of the peace courts functioning in thirteen urban and rural townships. Court personnel, quarters, and organization, the justice of the peace as an enterpriser, and the justice of the peace process are presented in a way that is most useful and informative. H. A. C.

The fourth volume of *Documents on International Affairs* (London: Oxford University Press, 1932, pp. xi, 241), edited by John W. Wheeler-Bennett, covers the year 1931 and forms, as did the previous annual volumes, an excellent supplement to Professor A. J. Toynbee's annual *Survey of International Affairs*. The present volume of *Documents* contains the vital material relating to the Austro-German customs union; disarmament, security, and arbitration; and reparations and war debts. The appendix contains the usual chronology of treaties. The editor's explanatory notes add much of value and of interest to the collection of documents.

C. T.

The Rosario branch of the Junta de Historia y Numismática Americana of Buenos Aires has published some important documents regarding the city's early history in celebration of the two hundredth anniversary of its founding. The first of these volumes (*Documentos Relativos al Tratado de 4 de Enero de 1831*, Rosario, 1931, pp. 107) recounts the struggle of the inland provinces with Buenos Aires to share in the foreign trade of the country under Rosas. The second (*Creación del Curato del Rosario, 1730-1731*, Rosario, 1931) contains the ecclesiastical documents relative to the establishment of the parish where the second largest city of Argentina now stands.

L. L. B.

Ciudad Romántica (Paris: Ediciones Literarias, pp. 212) by Tulio M. Cestero is a novel of Caribbean and South American adventure. It contains some exceedingly graphic and characteristic descriptions of the life of the people, wholly true to fact. The picture of Santo Domingo de Guzman could not have been better done by a skilled social scientist.

L. L. B.

